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## Legislative Assembly of Ontario

First Session, 36th Parliament

## Assemblée législative de l'Ontario

Première session, 36<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Tuesday 28 November 1995

Mardi 28 novembre 1995



Speaker  
Honourable Allan K. McLean

Président  
L'honorable Allan K. McLean

Clerk  
Claude L. DesRosiers

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# LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 28 November 1995

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 28 novembre 1995

*The House met at 1333.*

## MEMBERS' STATEMENTS

### ARMENIAN COMMUNITY CENTRE OF HAMILTON

**Mr Dominic Agostino (Hamilton East):** On Saturday, November 4, I had the pleasure of attending the opening of the Armenian Community Centre of Hamilton. The Armenian community in Hamilton is one of the oldest Armenian communities in Canada. Records of Armenians in Hamilton-Wentworth date back to the late 19th century.

Two very important organizations stemmed from the settlement of the Armenian communities: the ARF VRAMAIN in 1908 and the ARS in 1915. Each of these leagues has worked diligently over the years to ensure that the Armenian community in Hamilton remained strong and vibrant.

The strong sense of community felt among the Armenians reached a milestone with the completion of the Armenian Community Centre in 1950, but now, in 1995, a new community centre has been built to meet the ever-changing needs of a flourishing and vibrant Armenian community.

Many individuals worked diligently to ensure that the new community centre became a reality. I would like to congratulate the members of the community centre building committee for their outstanding efforts. They have done a great job in putting together a first-class building that's going to serve the community well.

Ontario is a diverse province where people from many different cultures come to live and celebrate their heritage in an atmosphere of peace and harmony. Events such as the opening of the new Armenian Community Centre of Hamilton present a wonderful opportunity for all Ontarians to become involved and familiar with the traditions of their fellow citizens.

Congratulations once again to the Armenian Community Centre of Hamilton. I wish them the very best in the future.

### CHILDREN'S SERVICES

**Mr Tony Silipo (Dovercourt):** Today I want to bring to this government's attention the concerns expressed by a number of individuals and groups in my riding about what this government is doing in its cuts and how those are hurting children.

Last week I had the chance to present a petition in this House from Stella Maris public school, a Catholic school in my riding in which parents and teachers of the school, some 350 names, expressed their concerns about the impending cuts to kindergarten.

On Friday of this past week, I had the chance to come down to Queen's Park on one of two buses which came

down from the Sprouts child care centre at McMurrich Junior Public School in my riding, two busloads of people—parents, staff and children—concerned and worried about the cuts to child care that this government has begun and no doubt will continue.

Earlier in the week, in taping my cable program, I had on as one of the guests the executive director of the Earls Court Child and Family Centre, a children's mental health centre in my riding which is renowned throughout the province for the good work it does with troubled young people. Again, I heard very directly the worries they have about what this government is doing.

I attended also a meeting at Palmerston Avenue Junior Public School, where parents were very worried about what this government was doing to education.

All of those people, individuals, are concerned that this government, in its provision to pay for the tax cuts, can find money to pay for tax cuts but doesn't seem to be willing to find money to pay for children's services.

### FAMILY SUPPORT PAYMENTS

**Mr Joseph N. Tascona (Simcoe Centre):** I've had numerous requests from constituents asking for my assistance with the family support plan in collecting arrears for child support. At times this has been a frustrating process, as many non-custodial parents have devised elaborate schemes to beat the system.

As parents, the most important job we have is raising our children. Today, with the high number of family breakdowns, this job takes on greater importance. However, today we find too many non-custodial parents are ignoring their financial responsibility in raising their children. This disregard has resulted in tremendous financial costs to the province of Ontario and social costs to the children who find themselves in this situation.

It is important that all members of this House cooperate to find workable solutions to the problem of delinquent child support. Non-custodial parents have a responsibility to their children and they must live up to it.

### COMMUNITY HEALTH CENTRES

**Mr Pat Hoy (Essex-Kent):** I rise in the House today to address a problem which is of concern to many citizens in my riding. Funding for community health centres has been frozen for this year, and with the government's economic statement looming, there is a very real fear that this freeze will be extended to next year.

Most of the 56 existing community health centres are located in urban centres, yet, for example, in the city of Toronto the ratio for family physicians only, not including specialists, is one doctor to 669 patients. In my riding, in our catchment area, there is one doctor for 2,800 people. We need doctors.



The Tilbury and district community health centre steering committee has completed its needs assessment for a community health centre and has been approved by the local district health council. They desperately are trying to bring doctors and services to our community, yet we all fear that the economic statement will extend the freeze on community health centres and that my community will lose this important project.

I urge the government and the Minister of Health to ensure that this freeze does not affect community health centres in underserved, rural and northern areas which urgently need health services.

1340

#### JUNIOR KINDERGARTEN

**Ms Shelley Martel (Sudbury East):** Last week, in response to a question raised by my colleague the member for Algoma, the Minister of Education and Training refused to give a commitment to ongoing government funding of junior kindergarten programs across the province. Trustees and parents should conclude then that this Conservative government has no interest in supporting early childhood education initiatives and will offload on to school boards both the decision and the cost of continuing to provide the same. That represents a huge step backwards for Ontario education and for Ontario children.

The Royal Commission on Education spent much time studying the results of full-day junior kindergarten projects in Toronto, Ottawa-Carleton, Michigan, France, Britain and Sweden. Those children who entered the school system at an early age consistently demonstrated lower failure rates in school later on, had better language, attentiveness and interaction skills, achieved better employment at higher rates of pay, were much less likely to ever be involved with the law, and generally were ahead in numerous other fields than their peers who started school later on.

All of the evidence reviewed time and again demonstrated the benefits of early childhood education, which is why the commission recommended strengthening of the early years program.

In Sudbury, both school boards have offered senior and junior kindergarten programs for some time. The majority of senior kindergarten programs have been full-day, and in the numerous studies that parents and teachers have responded to, they have been highly successful. Indeed, the separate school board was in the process of preparing an application to the ministry for a pilot project.

Making JK optional and refusing to fund the same is a huge step backwards for kids and for education in Ontario.

#### JOB CREATION

**Mr Tim Hudak (Niagara South):** Not too long ago I had the pleasure to rise in this assembly to announce 100 new jobs at Ronal Manufacturing in Stevensville, Ontario, home of the Tim Hudak Action Centre.

Today I rise again with a similar announcement. First Delaware, the sister company of Great Lakes Bureau, the third-largest receivables management firm in the US, will be coming to Fort Erie, Ontario. Beginning with 50 new

well-paying jobs, Great Lakes hopes to expand to over 100 paid personnel within a year.

I remember not too long ago the flight of jobs from Ontario across the Peace Bridge into the US. Those were the days of successive tax hikes, job-stifling labour legislation and an explosion of government debt. Those were not great days for Niagara South, but what a refreshing change today.

Most importantly, in Niagara South today we have reversed the flight of jobs. We have 100 new jobs coming into Fort Erie from the US for a change, not the other way around.

#### MINISTRY OF NORTHERN DEVELOPMENT AND MINES

**Mr Michael Gravelle (Port Arthur):** I'm pleased to rise to speak today about the importance of the Ministry of Northern Development and Mines to the people of northern Ontario. I'm sure I need not explain to the members of this House the realities that affect this special part of the province: our reliance on resource industries, our scattered population base, the significant distances between our communities.

While many of these conditions are simple realities of life in the north, much progress has been made in diversifying economic activities, developing stable networks and bringing northern Ontario into the global economy. Many of these gains can be traced directly to the involvement of the Ministry of Northern Development and Mines, particularly over the last 10 years of its present mandate. However, it is now increasingly clear that this government is prepared to strip away years of proactive ministry involvement and community support in the name of government downsizing.

This government promised greater consultation with northerners, yet it's provided little indication that this commitment will be met. This government has shelved, frozen, cancelled or spun into review limbo most ministry programs, including the northern Ontario heritage fund.

The Ministry of Northern Development and Mines is a unique one and one that has traditionally functioned as a hands-on agency for and with the people of the north. This government's lack of consultation, lack of leadership on northern issues and lack of regard for the conditions that have made this ministry important are of serious concern to northerners.

I urge this government and this minister to work creatively with individuals, municipalities and others on this issue. The needs and passions of northerners are too important for this ministry to slip away—

**The Speaker (Hon Allan K. McLean):** The member's time has expired.

#### WORKERS' COMPENSATION BOARD

**Mr David Christopherson (Hamilton Centre):** Yesterday I asked a question of the minister without portfolio responsible for WCB reform, if he indeed would commit to province-wide public hearings on the consultations that he's having. At that time he said, and I quote from yesterday's Hansard, "I'm surprised at the member opposite's suggestion."



If that's the case, let me say to the honourable minister that he has a much bigger surprise coming if he believes that he can just hijack the royal commission process that was public and upfront, that allowed everyone an opportunity to have input into important decisions that affect the lives of working people all across Ontario and not answer for that.

The fact of the matter is that as I travelled across the province in the last couple of weeks talking to hundreds of workers, one of the key issues that came up time and time again was, what's happening with WCB? There really is not a factual answer to give because the government's gone underground with the process.

Their pals and buddies are getting all the input they want in the back room, and maybe they're meeting with some labour groups, but nobody really gets to see what's going on, to hear the options that are available. It's all done in secret and he does that in secret because he knows that if the people of Ontario knew what he was contemplating, there'd be an outcry. They're trying to slam it through the same way they did with Bill 7. I'm here to tell him it's not going to happen.

#### LONG-TERM CARE

**Mrs Helen Johns (Huron):** This summer the government held discussions on alternatives to the multiservice agencies. We were looking for ways to improve the access and coordination of community-based, long-term care services.

This is another example of our government doing what it said it was going to do. Because of the huge amount of opposition to the MSA model, we made a commitment during the campaign to change it, because it did not consider the community needs, it did not consider the volunteer network and it hurt the quality of care by driving the career providers and volunteers out of the provision for service.

This government met with many organizations representing the 1,200 agencies and they were invited to share their perspective with us. We also received over 50 different written submissions. These contributors included people who provided a variety of services, programs and facilities for elderly persons, adults with physical disabilities and people who needed health care services at home.

Any new model to improve access to and the coordination of long-term care, community-based services must meet six principles. It must have access, good-quality service, reduced duplication.

I am pleased to inform the House that we have listened very carefully to what we heard and we'll be acting on many of the recommendations provided to us during these discussions.

#### MEMBER'S PRIVILEGE

**Mr David S. Cooke (Windsor-Riverside):** On a point of privilege, Mr Speaker: I'd like to bring a matter to your attention, part of which I think you're aware of.

This morning, outside my office on the third floor, I had called a press conference, a press availability session, to demonstrate for the gallery a children's petition of children in child care centres that had been brought to my office late last week and the beginning of this week.

The posters, which had children's handprints, were put on the floor and some on the wall for the purposes of demonstrating to the press the participation of literally thousands of child care students or children who had participated in this process.

Before we could even begin the press conference, security guards came up to the third floor, told me that they were sent up at your instructions, and I was told that I was not able to do this on the third floor, that the petitions could not be put on the walls, could not be put on the floors and that I had to take them down immediately or they would be taken down for me by security guards.

Then the Sergeant at Arms came up and he at least gave me 15 minutes to talk to the press. They then had to be removed. There were three MPPs who were participating: myself, the member for Riverdale and the member for Lake Nipigon.

What was even more offensive was the fact that there were four staff members, legislative assistants, who were there with me to assist, and a plainclothes security officer was there with a camera taking pictures.

Now, three MPPs and five legislative assistants and some members of the gallery, and this required a plainclothes officer to be up taking pictures? I think this has gone way overboard. I'm highly offended at what's occurred this morning and I want an explanation as quickly as possible.

**The Speaker (Hon Allan K. McLean):** Thank you. I am aware of some of the observations the honourable member has made. I will be reviewing the policy that we have within the building. I want a copy of that to be distributed to all the members of this House so that all members know what's going on. I would anticipate having that some time this afternoon and I will be reviewing it and sending every member a copy so that we do know what we're allowed to do and what we're not allowed to do.

1350

#### ORAL QUESTIONS

##### PUBLIC SECTOR LAYOFFS

**Mrs Lyn McLeod (Leader of the Opposition):** My first question is for the Premier. Premier, during the election campaign, you said that your policies would lead to the creation of 725,000 jobs over the life of your government, a commitment that was repeated yesterday by the Minister of Economic Development, Trade and Tourism.

Premier, you will be well aware that Ontario has actually lost some 14,000 jobs, net, since the beginning of this year, and that we can trace thousands of those jobs to the cuts in capital spending that were included in the \$1.9 billion in cuts that you announced in July. The cuts that your government is planning to announce tomorrow are expected to exceed some \$3 billion, and that will lead to an additional job loss in the tens of thousands.

Premier, on numerous occasions when you were in the opposition, you asked the previous government to assess the impact of NDP policies on job creation and the economy, so I ask you today, on the eve of your financial



statement, has your government done a job impact assessment of tomorrow's cuts, and how many jobs do you estimate will be lost by the withdrawal of more than \$3 billion from Ontario's economy?

**Hon Michael D. Harris (Premier):** Let me say to the member that, yes, we are very concerned about the impact on jobs of actions of our government, both positive and negative, and yes, there will be some public sector job losses as a result of stopping the spending of the \$10 billion a year that we don't have. However, we are very confident that balancing our budget, moving in this direction—I think in the red book you were quoted as saying it in the campaign—the number one thing that the government could do for job creation would be to balance the budget and to get our affairs in order and to have a solid financial plan. That would be the number one thing for private sector job creation.

As you know, yesterday the minister responsible for Management Board announced that there would be some job reductions in the public sector and clearly, as the statement comes tomorrow and as we take a look at the impact, we freely acknowledge there will be a downsizing of the public sector, because we can't sustain those jobs and the size and cost of the public sector.

But as we indicated in the Common Sense Revolution, balancing the budget, reducing the tax burden, getting our legislative affairs in order, eliminating the red tape—this package over five years, we believe, will create at least over 700,000 new jobs for the province of Ontario, and that's our goal.

**Mrs McLeod:** You know very well that nobody is disputing the need to get the financial situation in order, but the draconian level of cuts which you will be introducing tomorrow is being driven by one thing and one thing only, and that is your absolute determination to bring in a 30% cut in income tax for the most well-to-do in this province.

Premier, based on the estimates you've provided about civil service cuts, reductions in capital spending and the cuts that are coming tomorrow—and all we can do is guesstimate if you have not done a job impact analysis—we think it's safe to estimate that just the first two rounds of your cost-cutting will mean the loss of at least 80,000 jobs in Ontario, and that is just direct job loss as a result of your cuts. It doesn't even speak to the host of jobs that will be lost indirectly because of the economic effect of those kinds of draconian cuts.

Those kinds of cuts are coming, as I'm sure the Premier must know, at a time when every independent observer agrees that Ontario's economy is in a very precarious situation. We've seen that new home construction is at its lowest point—

**The Speaker (Hon Allan K. McLean):** Put the question, please.

**Mrs McLeod:** —since the onset of the recession. We're seeing media reports that people are planning to spend less money on Christmas because they're concerned about keeping their jobs, and in this climate this Premier's prepared to sacrifice 80,000 direct jobs to pay for his tax cut.

Premier, these policies are a recipe for recession. I ask you, as you talk about the importance of creating private sector jobs as if they were somehow better than public sector jobs which you will sacrifice tomorrow, whether you do not agree that a nurse's job is important to the economy, that a firefighter's job—

**The Speaker:** Would you put the question, please.

**Mrs McLeod:** I'm asking the question, Mr Speaker. This is the question to the Premier: Does he not believe that jobs in the broader public sector, the job of a nurse, of a teacher, of a firefighter—those jobs are all important to the economy, and will you acknowledge the drastic effect on jobs and the economy that you are going to create in the name of your income tax cut to the most well-to-do?

**Hon Mr Harris:** Perhaps what's been different about our campaign, the Common Sense Revolution, the election and post-election is that yes, we admit, and we were first to come out and say, we can't sustain the size and cost of government that we have today. Four years of \$10-billion deficits simply are not sustainable, a run-up now to \$100 billion of debt from \$30 billion. That's just in the 10 years that you and the NDP, either jointly together or separately, have been running this province. We acknowledge that we have to change. We can't do that.

We do put forward that there will be some job losses in the public sector to get the uptake in jobs in the private sector. So I would ask the member this: In the red book, pages 7 and 8, it says, "We'll cut \$4.1 billion in spending." Could you tell us where you planned to cut that?

**Mrs McLeod:** After tomorrow nobody's going to be talking about the CSR; it'll be the CCR, the Conservative-caused recession, because that's the impact of the kinds of cuts that you're going to announce tomorrow. I ask you to remember, Premier, the impact of what you're doing: \$5 billion in cuts resulting in a direct loss of at least 80,000 jobs at a time when we can least afford it in this economy.

Do you not agree, at a time when our economy is in a precarious state by every assessment, that sacrificing 80,000 jobs is a grave error; at a time when middle-class people need confidence in the economy when they're not spending, massive cuts to pay for an income tax cut for the wealthy is a gross mistake; and at a time when you should be thinking of the entire province and all of its people and not just the most well-to-do, that the draconian cuts you're going to bring in are indeed a recipe for recession?

**Hon Mr Harris:** I think you will find that the reductions that have to be made in the size and cost of government are not far off the reductions that were proposed in the red book and that the member herself campaigned upon in the last election. I can tell you this: Given the mess we inherited, they're the size of reductions that need to be done to balance our books.

Now, if you want to talk about tax cuts, the member campaigned on \$2 billion in tax cuts; we campaigned on \$4 billion. I heard your campaign, that \$2 billion in tax



cuts will create jobs and stimulate the economy; \$4 billion will create twice as many.

**Mrs McLeod:** There's only one party that campaigned on a 30% cut in income tax: this government and this Premier.

**The Speaker:** New question, the leader of the official opposition.

**Mr James J. Bradley (St Catharines):** Wait till your local municipalities get hold of you.

**Mrs McLeod:** And when the laid-off people are coming into the constituency offices to express their concern.

#### POST-SECONDARY EDUCATION

**Mrs Lyn McLeod (Leader of the Opposition):** The second question is to the minister of colleges and universities, because I'm sure, Minister, that your party remembers the campaign promise to see 725,000 jobs created in this province and that you might have some concern for the kinds of policies that will help to create jobs or policies that will in fact destroy jobs.

We remember the former Education critic of your party, who is now a minister, stating in this House on October 13, 1992, "Without the resources to produce a highly skilled workforce and advanced research facilities, Ontario will be unable to compete in today's global markets." I think you would agree, and we would agree, that that's true.

She went on to say, "Ontario universities make a major contribution to this province's competitiveness and they play a vital role in the development of highly skilled human resources," and I think you would agree, Minister, as we would agree. Yet, as our economy continues to be plagued by high unemployment, it appears that you are prepared tomorrow to slash funding for our colleges and universities, and this despite the publication of a recent report for the Council of Ontario Universities that concluded that a 20% cut in grants to universities would translate into the immediate loss of 14,550 jobs in Ontario.

I ask you, are you willing to jeopardize the viability of our post-secondary education sector, the foundation on which we all agree we have to rebuild this economy, and are you willing to jeopardize thousands of public and private sector jobs and throw almost 15,000 people out of work simply in an effort to bring in a 30% cut in income tax?

1400

**Hon John Snobelen (Minister of Education and Training):** We share many of the sentiments that the Leader of the Opposition has expressed in the House today. I do believe that universities are part of the key to the growth of Ontario, to opportunity and vitality in Ontario, as is an economy that works in Ontario. But I can assure the Leader of the Opposition party that the way to that future, to have excellent universities and to have excellent post-secondary institutions in the province, is not through not changing those organizations. They are now going and will continue to go through a process of change and re-engineering, as every other knowledge-based organization on the globe is doing.

**Ms Annamarie Castrilli (Downsview):** I find that very interesting as a response. I think what the minister is saying is that he's prepared to demolish universities and colleges in order to improve them; rather odd. Minister, let me remind you of your party's Blueprint for Learning in Ontario. It acknowledges: "In too many cases, classes are overcrowded, equipment is obsolete, library facilities are inadequate, and buildings are deteriorating. Ontario currently ranks ninth out of 10 provinces in operating grants per university student.... The need for increased funding for Ontario's post-secondary institutions is obvious."

Furthermore, on June 29, 1992, the honourable member for London North stated as follows: "What the universities really need is a long-term plan for reinvestment, rejuvenation and ongoing support for the most important institutions when it comes to training our young people so that Ontario and...Canada"—as a whole—"can be competitive."

I ask you, Minister, in light of the above, do you accept your colleague's conclusion, and what are your plans for rejuvenating and improving the universities and colleges of this province?

**Hon Mr Snobelen:** I'm pleased that the honourable member brings up our 1992 report which looked at post-secondary education, in fact all education across the province. This party and this government have been concerned for some time about the quality of education in the province, and we understand its importance to the future of this province.

I'm very pleased that the honourable member opposite has raised the issue of changes in universities and colleges. Obviously there need to be changes in universities and colleges. Some of those changes we pointed to in 1992, and others have become evident now. We intend to work with our partners in universities and colleges to bring about those changes that will improve the quality of post-secondary education in this province.

**Ms Castrilli:** I didn't hear anything about a plan. I heard no details. So let me try to give the minister a sense of what people think the government is really doing. Your short-term plan is clearly to slash without any kind of concern for the quality that you speak so much of; without any kind of concern for access, which is critical to the success of universities and of this province. Your long-term plan, quite frankly, is to allow colleges and universities to increase tuition when students have already seen increases of 42% in this province in the last five years. All this, sir, is happening in order to be able to justify a 30% tax rate reduction to the wealthiest Ontarians.

This is a minister who is supposed to be fighting for colleges and universities at the cabinet table. We've seen no evidence of that to date. So I want to ask you very plainly, how do you justify the deterioration of our colleges and universities and the deterioration of our economy and an increase in tuition fees which will be the result of a tax cut?

**Hon Mr Snobelen:** The honourable member opposite, just to be clear—let's be very clear about this—while universities and colleges around the world face enormous



changes now, our universities and colleges in Ontario are of excellent quality today, and it's our job to make sure they're of excellent quality in the future.

The member has quoted a number of 42% or so as a tuition increase under the previous government. My understanding is that number is closer to 50%. But the honourable member has forgotten that when her party formed the government in the province of Ontario it raised tuition fees 30%.

The honourable member wants to hear about planning for the universities and colleges sector. I think that's critically important for the future of this province. That's why we intend to enter into dialogue with those partners to create that future and to create that plan, not to do it unilaterally as a government.

#### TAX REDUCTION

**Mr Bob Rae (York South):** My question is to the Minister of Economic Development, Trade and Tourism. It follows from the exchange that we had yesterday.

The minister yesterday in his answer spoke with great praise of the views of the Dominion Bond Rating Service. In today's Financial Post, the analyst for the Dominion Bond Rating Service is quoted as saying: "It would be easier to balance the budget without the tax cuts. The cuts would not have to be as deep."

I wonder if the minister could comment on this view of the Dominion Bond Rating Service, since it seems to reflect—what shall I say?—common sense.

**Hon William Saunderson (Minister of Economic Development, Trade and Tourism):** I can understand why the leader of the third party refers to the Dominion Bond Rating Service so many times; he probably heard so much about it in his term in office because our rating was downgraded four times while they were in office.

However, if this issue really concerns the leader of the third party, he should realize that our government is cutting regulation, cutting taxes, cutting spending, and we're going to create an attractive investment environment in Ontario so that all Ontarians will invest in Ontario and not look offshore.

**Mr Rae:** I have developed a very intimate relationship with all the rating agencies.

The question I keep coming back to is this one: Yesterday, the Chairman of Management Board was quoted outside the House as saying, "As a result of the tax cut, there will be a lower revenue stream"—common sense—"and that translates either into a higher deficit or more expenditure reductions." Let me repeat that: "that translates either into a higher deficit or more expenditure reductions."

I'd like to ask the Minister of Economic Development, Trade and Tourism how this plan, so-called, of which he's such a strong advocate makes any sense when we're now being told that we're on a downward spiral in which either the deficit is going to go up, which is contrary to what he promised us yesterday, or alternatively, we're going to have even more expenditure reductions, more even than the \$3.5 billion we're expecting tomorrow. Could the minister answer that?

**Hon Mr Saunderson:** In response to the leader of the third party's first supplementary question, I would like to

remind him that economic studies show that while government spending creates more instant jobs, tax cuts create an equal amount of jobs over the long term. Furthermore, if matched with spending cuts, tax cuts create jobs without increasing debt, deficit spending and borrowing. If government spending created jobs, as I said a few weeks ago to the honourable member, we'd all have three jobs.

**Mr Rae:** Building a subway creates jobs; building hospitals creates jobs; building schools creates jobs.

#### *Interjections.*

**The Speaker (Hon Allan K. McLean):** Order. The member for London North is out of order.

**Mr Rae:** My good friends in the government are shouting at me, "With borrowed money," to which I would simply ask the minister one more time: If it is wrong, which you have been telling us with such vehemence and such Victorian morality, to borrow to build a hospital and to build a subway, can you explain to me why it is right to borrow to give a millionaire \$50,000 in a tax break? Why is that right in our current system?

**Hon Mr Saunderson:** I'm always disappointed when I hear someone whom I respect and would think that he would know better than to start preaching after his record after five years as the leader of the government.

As I said earlier: our credit rating down four times; our accumulated deficit has gone from about \$35 billion to almost \$100 billion; 32 new taxes; 82,000 lost jobs—I repeat, 82,000; our welfare rolls have tripled. His economic record as the Premier is a complete failure by any measure and any standard.

**Mr Rae:** That's the kind of personal attack that really hurts. Somehow I've still got it in me to ask three more questions.

1410

#### CHILDREN'S SERVICES

**Mr Bob Rae (York South):** I wonder if I could ask now a question of the Minister of Community and Social Services. In the gallery today there are many parents of children who have very special needs, children who are severely disabled and who rely on extensive public support for their future.

The Premier seemed to imply yesterday in his comments that the people who were concerned or who were opposed to the government's direction were exclusively made up of powerful special-interest groups who were all being paid to demonstrate outside, and that he was not intending to cave into those people.

I want to ask the minister, there are 2,700 individuals who are described by his own ministry as unique, as needing very special and intensive care at all times. Many of these children are now being told by children's aid societies and others who have supported them that there no longer is the budget to support them, that there no longer are the supports in place that these children with very special needs require.

I wonder if the minister would not agree with me that these people are not a special-interest group, that they do not represent some powerful interest protesting outside, they represent people whose futures very much depend on our sense of justice and our sense of solidarity with them.

I wonder if the minister can tell us, why are these people being affected by your cuts?

**Hon David H. Tsubouchi (Minister of Community and Social Services):** I'm not quite sure what the leader of the third party was getting at, because there were two matters that he brought up. In the first part I think he alluded to the CASSs, and I believe in the second part he was dealing somewhat with the disabled community, if I got the gist, because I think he was talking about children protection at one point in time.

It really is a matter, once again, of our government indicating what our priorities are, and our priorities are assisting the disabled community and certainly children in need of protection.

To that question, once again, I have to say again that in order for us to deal with this problem within the envelope that we have in which to deal, quite frankly, it's not like the good old days when the leader of the third party was in power, when all he needed to do to get more money was to send down another bucket into this well of taxpayers' money, forgetting of course that this is accountable somewhat and this is money that's not their money, it's the money of the taxpayers of this province.

In order for us to deal with this properly, I've already indicated some of the steps we are taking in order to consult with the disabled community to make sure that in fact they are serviced properly, that we are consulting with the service providers and the families.

**Mr Rae:** I wonder if the minister would just reflect on what he's saying and on the situation that the government has created.

There are 282 children on special-needs agreements according to the Ontario Association of Children's Aid Societies. These are kids, one of whom, Jake Edelson's situation, has already been described in the Toronto Star. Jake's mother is in the gallery today. But there are many, many other children, the 281 other children who are also on special-needs agreements that have been negotiated between the government and the children's aid societies, in which the children's aid society agrees that it will take some responsibility for ensuring that Jake receives the kind of care that he needs. He has been kept alive over the last five years by virtue of the care that has been provided. The children's aid society in this case has indicated to Jake's parents that they are no longer in a position to provide him with the support he needs and that they therefore have to look somewhere else for very intensive and special care.

There are literally hundreds of young people who are in this kind of situation, Minister. They rely on a government that has a sense of priority with respect to the most vulnerable to deal with them. I'd like to ask the minister again, why would you not fashion your savings and your cuts in such a way as to ensure that the most severely disabled among us are not affected by them?

**Hon Mr Tsubouchi:** I have to say, first of all, that I'm not saying that—there are some people who have some difficult times for us to deal with, but what we are trying to do right now is to consult with the community. We have to find out what priorities the community actually has itself. We want to work closely with them to ensure that the priority of the disabled community is dealt

with in a very caring way by this government because we feel that it is a priority for us.

**Mr Rae:** The problem with the minister's answer is that it doesn't fit the situation that we find. When the minister goes back to his office and asks to be briefed by his staff, he will find and he will be told there are hundreds of people who are in this situation and that children's aid societies, whose budgets you have cut by 5%, will say, "This is not part of our mandate; this is part of someone else's mandate." So they will say, "Oh, we're going to get back to our core service," and you're going to say you're going to get back to your core service.

The only problem is, hundreds of kids who are very severely disabled, who literally have no voice other than their parents and their families to speak on their behalf, are going to pay the price for these cuts which are taking place in a random, across-the-board and in many, many instances literally mindless fashion.

If we can all agree as a House, and I think we would agree in five minutes, five seconds, that the disabled should be given priority, why wouldn't you give that a higher priority than providing a \$50,000 tax cut to somebody who's making \$1 million a year? Why isn't that more important to your government? Why have you got things so wrong?

**Hon Mr Tsubouchi:** It's very unfortunate that the leader of the third party is going through some short-term memory loss here. It's pretty evident, once again, and we've said this many times, that one of the reasons why we had to deal with the very difficult problem which we inherited was because of the mess that you gave us.

*Interjection.*

**Hon Mr Tsubouchi:** Oh, it certainly is true. In fact, if we did not address the extra \$1.9 billion, which you somehow foisted upon this government, and you have the audacity to stand up and look at me and say why are we—

**Ms Shelley Martel (Sudbury East):** The big tax cut to the rich and famous, never mind the kids, that's your priority.

**The Speaker (Hon Allan K. McLean):** Order.

**Hon Mr Tsubouchi:** —the proper way. I think that this government is trying to deal with this in the best and most compassionate way possible by consulting with the disabled community to make sure we do make them our priority.

We do care about this, but on the other hand I think that the leader of the third party must certainly recognize the part he played in this play of the absurd.

**The Speaker:** New question, the member for Scarborough-Agincourt.

*Interruption.*

**The Speaker:** Have her removed, please. Take her out.

**Ms Frances Lankin (Beaches-Woodbine):** She's the mother of a child. The child is severely disabled.

**The Speaker:** Order. Stop the clock, please.

**Mr David S. Cooke (Windsor-Riverside):** She's here because she's got a disabled child.



**The Speaker:** Order. The member for Scarborough-Agincourt.

1420

#### TAX REDUCTION

**Mr Gerry Phillips (Scarborough-Agincourt):** My question is to the Premier and it's about the fiscal statement tomorrow. No doubt tomorrow we will see the very significant cuts that you've promised. Probably with tomorrow's statement at least \$5 billion will be cut from the government's spending.

We know the justification will be that we face an enormous deficit and debt problem, and every one of the government members will be provided with all sorts of visual aids to demonstrate that we have a singleminded problem to tackle, the deficit and the debt, and that's why we're doing these cuts, the \$5-billion cuts.

At the same time, however, you have promised a \$5-billion tax cut. That's straight out of your Common Sense Revolution, a \$5-billion-a-year tax cut to the best-off of the people of this province.

My question is this: If the deficit is such a huge problem that all of us have to suffer and tackle, how can it be that at the same time as we are forced to cut \$5 billion in expenditures, the province can afford a \$5-billion tax break?

**Hon Michael D. Harris (Premier):** I am happy to answer the question and I'm glad to get the question. In the Common Sense Revolution, we talked about a \$4-billion tax cut, 30% in the basic Ontario rate, which is about 10% of the income tax rate, to get us back to where we can be competitive with other jurisdictions, and, as you know, a fair share health care levy that meant at the high-income end the rate would not be 30%. In fact I think there are some economic—I think Peter Cook's article in the *Globe and Mail* says the Common Sense Revolution tax cuts will make the tax system more progressive. That was his analysis.

**Mr David S. Cooke (Windsor-Riverside):** Oh, yes, progressive.

**Hon Mr Harris:** Well, talk to Peter Cook. I'm saying what he had suggested.

Clearly, up until you lost the June 8 election, the Liberal Party thought that a \$2-billion tax cut would help create jobs and stimulate the economy. Maybe now you've changed. You've gone back into the opposition mode, you and the NDP, the way you joined in coalition to bankrupt the province over the last 10 years.

Maybe you've changed, but I want to tell the member, we have not changed. We have not changed. We agree with those economists: union economists, university economists and other economists who have said that the last 10 years of high taxation have destroyed jobs, have lost us jobs, have cost us opportunities, more than the government spending they've been able to create.

So we are going to take a different path from the last 10 years that led to record unemployment, record welfare rates, record loss of opportunity and we are going to proceed to make sure we move towards tax rates that are (a) competitive and (b) will stimulate the economy and create the jobs and growth that we all want.

**Mr Phillips:** Tomorrow thousands of people will be laid off. We understand that. That's what you say is the price of fighting the deficit. Those people in the gallery that you accused of being simply public servants were here to express their outrage at what you're doing. These cuts are impacting everyone in the province, Premier, and you are saying we have to do this because we are faced with a deficit. That's why all of this pain. That's why you have to do it.

I go back to my question, which you still haven't answered: If the deficit is that important that you are going to lay off 13,000 people, you are going to cut social assistance, you are going to slash support to colleges and universities to fight this dreaded deficit, if it's that important, how can you possibly afford a \$5-billion tax break to the best-off in this province at the same time?

**Hon Mr Harris:** It's not our intention to give a \$5-billion tax cut to the best-off in this province. It never has been our intention. It is our intention, and the Common Sense Revolution said it is the steelworker, it is the cab driver, it is the people who are out there working who are to receive the maximum benefit from our tax reductions.

Shortly, the Minister of Finance, the finance committee, will be having pre-budget considerations leading up to our first budget. I noticed in the red book you campaigned on a \$2-billion tax cut. Maybe now you think we shouldn't do that. Maybe that was then and this is now. That's how you've campaigned traditionally, in the past. I had hoped maybe you had changed. I'm disappointed you have not.

Clearly, the answer, you know, is this: Our tax cut will be designed to put more money into the hands of the working people of this province, to give them more purchasing power so they can buy cars and create jobs, so they can buy houses and create jobs, so they can stimulate job growth and creation in this province of Ontario.

We tried your approach for 10 years; it was a disaster. Now we're embarking on a different approach clearly and we're proud of it.

*Interjections.*

**The Speaker (Hon Allan K. McLean):** Order. Would the House come to order, please.

#### POST-SECONDARY EDUCATION

**Mr Bob Rae (York South):** In the widely watched and well-regarded television program *Focus Ontario*—I've got to get on that program somehow—the Minister of Education and Training is quoted as saying, in answering a question about private universities:

"Well, we've said that's something that will likely happen. I believe frankly it's inevitable in Ontario, as the university structure changes, that some of that will come on. I have no timetable for that at this point in time, but my understanding of the university community is they expect private universities to become a reality as times change for universities."

Can the minister confirm that it is in fact now the policy of the government of Ontario to create private universities in Ontario?

**Hon John Snobelen (Minister of Education and Training):** Just to remind the leader of the third party, and this must have slipped his mind: Universities in Ontario are autonomous organizations that are publicly funded. It's the intention of this government to protect those autonomous organizations for all of the obvious reasons and for all the reasons that have traditionally been that way.

**Mr Rae:** No, but the universities in the province are autonomous organizations that are operated on a not-for-profit basis, that are operated on a basis of a fee structure that has a status in law and on a fee structure that is regulated by the province of Ontario.

Mr Davis's government, Mr Robarts's government, Mr Frost's government all made the clear decision that we were not going to go the way of the United States and have one university system for the rich and another university system for everybody else. I'm asking the minister whether that still is the basic policy of the government of Ontario.

**Hon Mr Snobelen:** I'm pleased to inform the leader of the third party that it's the intention of this government to ensure that quality, best-in-the-world, post-secondary education is available to every person in Ontario who would like to access it, to have an equality of access for the people of Ontario. That remains a priority for this government. It certainly has been a priority of this province for many, many years.

#### ROYAL VICTORIA HOSPITAL

**Mr Joseph N. Tascona (Simcoe Centre):** My question is to the Minister of Municipal Affairs and Housing. The city of Barrie is fortunate to have a new hospital under construction. The new Royal Victoria Hospital is creating many jobs for the region and will improve health care services in Simcoe county.

The continued construction of the new Royal Victoria Hospital is in jeopardy as the city awaits approval of the secondary plan and plans associated for the hospital. When can the city of Barrie expect to have these plans approved by the ministry?

**Hon Al Leach (Minister of Municipal Affairs and Housing):** I'd like to thank my colleague for the question. I know that the Royal Victoria Hospital is of great importance to all the residents of the Barrie area. Ministry staff are working with the municipality to finalize the secondary plan. This should happen very, very shortly.

I would like to assure my colleague that it has never been this government's intention to delay this project. In fact, this is exactly the type of scenario we've been trying to avoid. This process has been going on for far, far too long. It's caused too much conflict and concern for the residents of Barrie, for the municipality and for the provincial government, and we're going to make a lot of changes in this process.

**Mr Tascona:** The city has been told by your ministry that it opposes the city planning time horizons. As a result, approval of these and other plans and even the city's official plan have been delayed, the result of which is the potential loss of economic development in the area. I ask the minister if it is his intention to provide municipa-

lities with more autonomy in the approval process as part of his planned changes to the Planning Act.

**Hon Mr Leach:** Yes, I can confirm that we do want to give municipalities more autonomy. We want to create a faster, cheaper, more understandable system, guided by clear and concise provincial policies that will deal with issues that should only be under the jurisdiction of the province. We also want to allow local planning decisions to be made by people who best understand local circumstances. That's the municipalities. The recently announced changes in the planning process include a fundamental review of provincial policies. We will be reviewing the planning time horizons that are currently in these policies.

1430

#### NUCLEAR SAFETY

**Mr James J. Bradley (St Catharines):** I have a question for the Minister of Environment and Energy. It was reported today, "Ontario Hydro says divulging reviews it has conducted on the performance and safety of its nuclear plants would alarm the public unnecessarily and undermine the utility's 'economic interests.'" Also, "The request was denied 'because release of the reports could generate unjustified negative opinion that would affect the economic interests of Ontario Hydro,' the corporation said in a letter," to the requester. Minister, do you believe the economic interests of Ontario Hydro should take precedence over the public safety interests of the people of this province?

**Hon Brenda Elliott (Minister of Environment and Energy):** I thank the honourable member opposite for the question. Clearly, the safe operation of nuclear reactors in Ontario is important to this government, and we are concerned when any issues of safety are raised in any way.

I would remind the member opposite that the Atomic Energy Control Board is a federal agency and is responsible for licensing and regulating the safety of Ontario Hydro's nuclear reactors. I would also remind the member that this is a management decision for Ontario Hydro and it is standard practice across Canada not to release the results of peer reviews.

**Mr Bradley:** Madam Minister, I want to be fair to you.

**Hon Noble Villeneuve (Minister of Agriculture, Food and Rural Affairs, minister responsible for francophone affairs):** When did you change? No, no.

**Mr Bradley:** I really do. I want to give you a choice. I even put it down on paper for you and I'll send it across to you.

Do you believe that Ontario Hydro should hide the report on the safety and performance of its nuclear reactors the way it used to do in the good old Tory days, or do you believe that Ontario Hydro should share this vital and urgent information with the people of this province, and if so, what are you prepared to do to ensure that the report is released? You are the minister responsible for answering that question in this House.

**Hon Mrs Elliott:** The real issue at the heart of this question is the safety of the operation of the nuclear reactors of the province of Ontario. That is the issue that the people of Ontario are concerned about. The honour-



able member opposite, as do all members in this House, has my assurance that we are very cognizant of any issues of safety with regard to the operation of these facilities, are vigilant and will use these peer review reports to improve the efficient operation of these facilities.

#### CHILD CARE

**Mr David S. Cooke (Windsor-Riverside):** I have a question to the Minister of Community and Social Services. The minister will be aware of the demonstration that took place out in front of the assembly and right across Ontario last week with regard to access to regulated child care in this province.

Last week, we were given a children's petition which I would like to demonstrate for the minister. This children's petition is only a small sample of thousands of expressions from children across this province who have demonstrated their desire and their parents' desire to maintain regulated, quality child care in this province.

I would like to ask the minister whether he can assure the parents and the children of this province that after tomorrow's budget there will still be regulated child care in this province and that he will not introduce a voucher system for child care which will destroy access to regulated child care in Ontario.

**Hon David H. Tsubouchi (Minister of Community and Social Services):** I'm not necessarily going to agree with the consequences of the honourable member's speculation. That's really all that is at this point in time: speculation.

I'd like to once again reiterate that we are undergoing a child care review under the leadership of Janet Ecker, my parliamentary assistant, and we're looking at a number of issues. Once again, I'd say to the member that his comments today are based on speculation.

**Mr Cooke:** Last week when the demonstration was taking place, the minister was quoted both on TV and in the print press across the province as saying that there was no reason to worry about the voucher system, that this was speculation, and he gave the impression to people that this was not going to happen.

Can the minister assure parents and children in this province that there will not be a voucher system introduced in this province? Does the minister understand that if a voucher system is introduced, this system will limit choice, not increase choice, to regulated and quality child care in this province?

**Hon Mr Tsubouchi:** I also indicated before that we are looking at a number of issues with the child care review; a number of issues are on the table. Certainly we are looking to increase the access and the choice of the parents across this province and to improve the child care area, and that's the reason for the review.

#### HIGHWAY 416

**Mr Richard Patten (Ottawa Centre):** Mr Speaker, I see the Premier is still in the House. I wonder if he would entertain a question.

**Mr Frank Miclash (Kenora):** He's hiding.

**The Speaker (Hon Allan K. McLean):** You'll have to address it to somebody else.

**Interjection:** Goodbye, Mike. Nice little wave there, Mike.

#### Interjections.

**The Speaker:** Order. I've got nothing to do with it; it's nothing to do with me. Ottawa Centre, who's this question to?

**Mr Patten:** In the absence of the Premier, on his departure with a wave of his hand, I will address my question to the Minister of Transportation. Minister, yesterday I observed in my riding of Ottawa Centre, obviously with some interest, a visit by the Premier. The media reports on his speech at the Chateau Laurier yesterday I found quite interesting, but it was interesting also for no report on an area that I know is of concern to the people of Ottawa-Carleton and southeastern Ontario as far as Highway 401. It's called the 416. Some of the members with the Premier yesterday may have heard him say something, but there was nothing reported.

Given the situation that we will hear about tomorrow, I ask if the Premier will stand by his statement—I'm sure he's communicated this to you, Minister—and if therefore you will, when on June 1 he said: "There is one specific issue which I know is of particular interest to the people of the Ottawa region, and it's Highway 416. A Harris government will honour our commitments: no ifs, no ands, no buts, no tolls. We will accelerate this project and we will finish four-laning Highway 416."

This project was first started by the Peterson government. I ask you, Minister, will you continue this project?

**Hon Al Palladini (Minister of Transportation):** I would like to say this: This particular project was started a long time ago, but it is going to be finished by the Progressive Conservative Mike Harris government.

**Mr Patten:** Thank you for the elaborate answer. I appreciate that you are committed to the project. During the election we saw many of the members of the Conservative Party beside a huge billboard. We have some members here in the House after that election. Will the minister acknowledge that the billboard said, "We Will Begin Now," and it had "now" underlined? Does "now" actually mean now, or when does it mean "now"?

**Hon Mr Palladini:** Since day one we've been working on 416. As a minister, I have certainly taken it upon myself to make sure things progress to the point we are basically at. The Premier did say, and this is not the first time—the Premier has said on a couple of occasions and the minister has also said on a few occasions that we are going to go ahead with 416. We are in the process of finalizing the situation, and very shortly, I would like to say, the Premier will indeed be cutting the ribbon to get this project going.

1440

#### COURT EMPLOYEE

**Mr Tony Martin (Sault Ste Marie):** My question is for the Attorney General. Does the Attorney General support and encourage government workers to perform the much-needed volunteer work his government has been promoting?

**Hon Charles Harnick (Attorney General, minister responsible for native affairs):** I believe the question is whether I in general support volunteer work, and the



answer is yes. But obviously you have something coming in your supplementary, and I'll wait to hear that.

**Mr Martin:** If indeed the Attorney General does support volunteer work, then why is there a courtroom registrar in Sault Ste Marie being suspended for the second time for performing volunteer services? In fact, this individual established a volunteer program in 1987 which helps victims of crime and their families. On April 7, 1995, she was released from work because of a perceived conflict of interest. She subsequently returned to her job with full pay after filing a grievance. Three months ago she was released from work for the second time on the basis of conflict of interest.

Your ministry has forced her to choose between a part-time job and volunteering for the victim/witness assistance program. Would you look into this situation and offer an apology to this individual who has been publicly centred out? I have a letter from her that I will send over. I would also like to ask the minister—

**The Speaker (Hon Allan K. McLean):** Wrap up your question, please.

**Mr Martin:** I would also like to ask the minister if there are any plans to provide funding to the victim/witness assistance program in Sault Ste Marie.

**Hon Mr Harnick:** It would probably have been preferable to ask that in two questions instead of trying to get cute with the opener.

At any rate, the issue is one I am familiar with. It involves an issue as between the management of the court services branch and the individual involved. There has been a conflict of interest as between her duties to the court and her outside involvement. The court services management within the system is dealing with the problem, and I have every confidence that they are dealing with the problem appropriately and properly. That is the way I will leave it.

#### CHILD CARE

**Mrs Julia Munro (Durham-York):** My question is for the Minister of Community and Social Services. I understand that recently you have begun to review child care in the province. Understandably, some of my constituents have expressed some concerns about how this is carried out and who is leading this review. Can you provide me with information that addresses their concerns?

**Hon David H. Tsubouchi (Minister of Community and Social Services):** It's nice to receive a question from someone who may actually listen to my answer.

As many members might be aware, I've recently charged my parliamentary assistant, Janet Ecker, with the responsibility of reviewing Ontario's child care programs. During this process, she will consult with stakeholders throughout the province with the view of bringing forward options for child care that both parents and taxpayers can afford. Following her review, she'll be making a recommendation on how to proceed with this most important issue.

**Mrs Munro:** I thank the minister for this answer. I would press him, however, that there has been considerable speculation in the press recently that these decisions

have already been made. My constituents are concerned, and I would ask him, at what stage in his ministry is this child care review?

**Hon Mr Tsubouchi:** Again, I really do appreciate the question. It really does allow us, for a change, to actually get an answer out.

Contrary to speculation which has been fuelled by a lot of fearmongering by the members opposite, the child care review is in its very preliminary stages and no policy decisions have been made at this point. I've asked Janet Ecker in her review and her dialogue with the stakeholders to be open to options that use our resources as effectively as possible. This is intended to ensure that there is parental choice, a quality of service, affordability and a levelling of the playing field between the public and private methods of delivery.

#### SERVICES FOR THE HEARING-IMPAIRED

**Mr Dominic Agostino (Hamilton East):** I have a real question for the Minister of Community and Social Services. Minister, I'm continually astonished at your continuous attack on the disabled across Ontario. Last week we were advised that vocational rehabilitation staff who help disabled people get back to work have been cut by 50% in a Metro Toronto office and by 50% in the city of Windsor.

We've now been advised that your regional ministry offices have notified the Canadian Hearing Society in Hamilton and in Windsor that you will not fund sign language interpreters for job interviews and meetings with placement counsellors. In effect, you're prohibiting deaf individuals in Ontario from seeking employment by denying them this essential service. That has been confirmed by the directors both in Hamilton and Windsor.

Minister, can you explain to the House the rationale for denying this essential service to deaf people across Ontario, particularly as it relates to job interviews and meetings with their placement counsellors?

**Hon David H. Tsubouchi (Minister of Community and Social Services):** Once again, this really touches the crux of the issue in terms of the disabled community and how we're trying to address these items right now. Frankly, there's not a much better way in trying to decide which services the disabled community needs right now than to consult them, and that's the process we're going through right now. I think it's a very important process.

**Mr Agostino:** I'm not sure what the minister was answering. It's not a question of consulting the disabled community. The question and the issue is very simple: Vocational rehabilitation services in Hamilton and Windsor will no longer continue to fund sign language interpreters that the Canadian Hearing Society provides when individuals they are working with who are trying to get back to work have to either go to a job interview or meet their placement counsellors.

We have an example in Windsor where an individual could not have the service provided to him. He did not go to the interview. His supplemental benefits were cut—he's under the Futures program—as a result of that. It is very clear, Minister. This is not a question of sitting there



and trying to justify some cut or some consultation process. It is simply a decision that those two offices, on your behalf as minister, have made and have notified.

Can you assure the House today that you will immediately move to ensure that right across this province deaf individuals can continue to receive those essential services that are provided to them, particularly as it applies to job interviews and job placement interviews they need in order to do what you've asked people to do, and that is to get back into the workforce?

**Hon Mr Tsubouchi:** First of all, I believe that the honourable member is probably referring to a number of issues involved with the constraints of the 2.5% reduction for this year in which many organizations have been forced to make some very difficult decisions themselves.

Certainly, we do believe we should be assisting the handicapped and disabled community in as many ways as we can, and certainly there's no better way—once again I have to emphasize this—than to actually consult them. I can't see any other way we can approach this.

1450

#### VISITOR

**The Speaker (Hon Allan K. McLean):** I would like to inform the members of the Legislative Assembly that we have in the Speaker's gallery today the Honourable James Downey, Minister of Industry, Trade and Tourism for the Legislative Assembly of Manitoba. Please join me in welcoming our guest.

#### MOTIONS

##### HOUSE SITTINGS

**Hon Norman W. Sterling (Minister of Consumer and Commercial Relations):** Mr Speaker, in the absence of the House leader, I believe you will find that I have unanimous consent to pass the following motion:

I move that on Wednesday, November 29, the House shall recess immediately after routine proceedings; and

That the House shall reconvene at 4 pm for an economic statement by the Minister of Finance; and

That the House shall adjourn immediately following the Minister of Finance's statement that day; and

That on Thursday, November 30, and Monday, December 4, under orders of the day, the House shall consider replies to the economic statement.

**The Speaker (Hon Allan K. McLean):** Do we have unanimous consent? Agreed.

Shall the motion carry? Carried.

#### PETITIONS

##### CHILD CARE

**Mr Frank Miclash (Kenora):** I have a petition that reads:

"To Mr Harris:

"Please keep your hands off our child care."

It's signed by the children of the Dryden child care program at 113 Albert Street in Dryden, people like Danny, Katie, Shea, Ashley, Christa, Robbie, Merle, Adam and Matthew. Mr Speaker, you can see that they've all given me their signatures through a handprint.

I'd like to present that to the Legislative Assembly of Ontario.

#### TAX REDUCTION

**Ms Marilyn Churley (Riverdale):** I have again today hundreds of names, people who have signed a petition which reads:

"We, the undersigned, petition the Legislative Assembly of Ontario to abandon, reduce or delay the provincial government's proposed 30% tax reduction in order to maintain needed funding and services for the two million people of Metro Toronto."

These are all signatures, of course, from people who live in Metro Toronto, many of whom live in my riding.

#### HIGHWAY SAFETY

**Mr Doug Galt (Northumberland):** I have a petition signed by over 4,000 constituents from my riding. It's addressed to the Legislative Assembly of Ontario.

"We demand that the provincial government take a serious look at the idea of installing a safety median between the east and west lanes of the 401, from Highway 115 to at least Colborne in the east. Too many people are dying from vehicles crossing the median in this area compared to other areas with medians."

I add my signature to this petition.

#### HOSPITAL RESTRUCTURING

**Mr Monte Kwinter (Wilson Heights):** I have a petition to the Legislative Assembly of Ontario.

"Whereas the report of the Metropolitan Toronto District Health Council hospital restructuring committee has recommended that North York Branson Hospital merge with York-Finch General Hospital;

"Whereas this recommendation will remove emergency and inpatient services currently provided by North York Branson Hospital, which will seriously jeopardize medical care and the quality of health for the growing population which the hospital serves, many being elderly people who in numerous cases require treatment for life-threatening medical conditions;

"We petition the Legislative Assembly of Ontario to reject the recommendation contained within the report of the Metropolitan Toronto District Health Council restructuring committee as it pertains to North York Branson Hospital so that it retains, at minimum, emergency and inpatient services."

I've affixed my signature.

#### FRENCH-LANGUAGE SOCIAL SERVICES

**Mr David Christopherson (Hamilton Centre):** I have a further petition from my community, signed by over 500 citizens.

"Whereas the funding for social services in the centres de santé communautaire of Hamilton and Niagara has been cut by 100%; and

"Whereas the French Language Services Act ensures the delivery of French-language social and health services to francophones in designated cities, such as Hamilton, Welland and Port Colborne; and

"Whereas the needs and feasibility studies carried out after the implementation of the French Language Services



Act recommended the establishment of community health centres in the regions of Hamilton-Wentworth and Niagara to ensure delivery of French-language services; and

"Whereas the health centres are the only organizations ensuring the delivery of social services in French, since there are no designated bilingual positions in the other organizations of these designated cities;

"Therefore, we, the undersigned, petition the Legislative Assembly as follows:

"We demand that the Legislative Assembly immediately stop its attack on French-language services in Ontario. The Centres de santé communautaire of Hamilton and Niagara are the only agencies offering French-language social services, because there are no bilingual designated positions in other agencies in our communities.

"We expect the Legislative Assembly to demonstrate clearly that Franco-Ontarians are an integral part of the province of Ontario, to immediately review the cuts which have affected those health centres and to re-establish the funding of social services and ensure the future of social services and health services in French in the Hamilton-Wentworth and Niagara community health centres."

I add my name.

#### POST-SECONDARY EDUCATION

**Ms Annamarie Castrilli (Downsview):** I have a petition signed by hundreds of people from the city of London, and specifically at the University of Western Ontario.

"To the Legislative Assembly of Ontario:

"Whereas post-secondary education is a critical building block of Ontario's social and economic fabric;

"Whereas the effectiveness, efficiency and quality of our colleges and universities depend upon the provincial government's true commitment to and financial support for these institutions;

"Whereas the Mike Harris government has initiated a process of severe budget cuts to post-secondary education that jeopardize the viability and accessibility of our colleges and universities; and

"Whereas the Mike Harris government avoids direct consultation with the many stakeholders affected by these budget cuts;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That adequate funding for our colleges and universities be maintained at a level that protects the quality and accessibility of Ontario's post-secondary education sector and that the Minister of Education be directed by the Premier to meet directly with students, faculty, administration and other stakeholder representatives across the province to discuss the future of post-secondary education in Ontario."

My signature is affixed.

#### TAX REDUCTION

**Ms Shelley Martel (Sudbury East):** I have a petition that has been signed by 94 people in Sudbury and area.

It is being submitted on behalf of the People's Law and Rights Organization. It reads as follows:

"Whereas the government of Ontario has decided to resubmit 30% of provincial income taxes to the general public; and

"Whereas this government has stated that its purpose for doing so is to improve the economic situation; and

"Whereas economists would agree that stimulation would be achieved by way of greater spending; and

"Whereas social and welfare recipients must spend all of their moneys in order to survive;

"Therefore, be it resolved by this organization that the government resubmit 30% of the tax increases to social and welfare recipients, in order that they might stimulate the economy, all the while having the dignity in receipt of decent payment for themselves."

I agree with them and I have affixed my signature to it.

#### CHILD CARE

#### SOINS POUR ENFANTS

**Mr Jean-Marc Lalonde (Prescott and Russell):** My petition carries over 1,600 names and there are more to come from my riding of Prescott and Russell. I invite my fellow members to use their earphones, since the text of my petition is written in both of the national official languages.

«À l'Assemblée législative de l'Ontario :

«Attendu que des soins de garderie de haute qualité contribuent de manière significative au développement sain de tous les enfants ;

«Attendu que des recherches ont prouvé que les éducateurs d'enfants qui ont des bonnes conditions de travail fournissent des soins pour enfants de très haute qualité ;

"Whereas the best child care system for all Ontario is one that is accessible, affordable and regulated for quality; and

"Whereas recent cuts to child care are destabilizing the entire child care system in Ontario;

"We, the undersigned, petition the Legislature of Ontario as follows:

«Que tous les financements publics pour les soins de garderie soient remis en place, incluant les contributions, les fonds capitaux et les subventions opérationnelles ;

"That all existing commitments regarding wage subsidies, pay equity, grants and any other funding program and/or policies that help to stabilize high-quality child care for children and families in the province of Ontario be retained.

"Que des audiences publiques soient tenues dans le cadre de la revue des services de garderie."

Je suis fier d'ajouter ma signature à cette pétition.

1500

#### COMMUNITY-BASED JUSTICE OPTIONS

**Mrs Sandra Papatello (Windsor-Sandwich):** I want to mention that this petition is signed by 969 people from Windsor-Sandwich.



"To the Legislative Assembly of Ontario:

"Whereas during the 1970s, the government of the day developed measures that curbed the growth of government by involving local communities in the provision of legal services. The criminal justice field began to recognize the benefits of community-based justice options. Privatization was considered more cost-effective while strengthening government ministries through community participation in the justice system. Since this time, non-profit agencies across Ontario have developed effective programs and present a strong local face to the justice system while supporting partnerships with an ever-widening community base. Community programs have proven to be cost-effective in comparison to directly operated government services. Community-based options reduce the cost of incarceration while promoting public safety;

"Whereas community-based justice programs such as diversion, alternative measures, bail supervision, community service orders etc have proven value; the screening and supervision of accused and offenders within well-defined programs contribute to public safety; for over 20 years community-based options have made a positive contribution to the welfare of communities in Ontario;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We believe these programs must not be viewed as dispensable. As with many recent cuts, short-term fiscal expediency holds no long-term value. Credible links with the community and quality programs for the citizens of Ontario must be maintained."

I hereby affix my signature.

#### HIGHWAY SAFETY

**Mr David Ramsay (Timiskaming):** "To the Legislative Assembly of Ontario:

"Whereas the Ministry of Transportation is intent on reducing winter road maintenance services; and

"Whereas such downgrading places the lives of northern residents at undue and unnecessary risk;

"We, the undersigned, petition the Legislative Assembly of Ontario to disallow these reductions in service and to guarantee that winter roads across the northern regions of the province receive the necessary maintenance to ensure the safe passage of drivers."

I will affix my signature to this.

#### JUNIOR KINDERGARTEN

**Mr Rick Bartolucci (Sudbury):** Another one of many petitions to the Legislative Assembly of Ontario:

"Whereas research and experience support that early childhood education programs result in children staying in school longer, improved reading, math and language skills, increased opportunities for future employment for youth, and a decrease in teen delinquency;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Do not stop funding school boards for junior kindergarten programs. It saves society millions of dollars that would later be spent on remedial social programs. Our children's future is worth it."

I've proudly affixed my signature to it.

#### EDUCATION FINANCING

**Mr Pat Hoy (Essex-Kent):** I have a petition to the Legislature of Ontario.

"Whereas all students in Ontario deserve equal educational opportunities; and

"Whereas we understand the importance of controlling costs; and

"Whereas reductions to core grants severely impact assessment-poor boards;

"Therefore, be it resolved that we, the undersigned, petition the Legislature to effect reasonable reductions in the education system and to ensure that the reductions are shared in a fair and equitable manner."

#### HOSPITAL RESTRUCTURING

**Mr Mike Colle (Oakwood):** This petition is for Northwestern General Hospital.

"To the Legislative Assembly of Ontario:

"Whereas the Metropolitan Toronto District Health Council restructuring committee has recommended to close Northwestern General Hospital and merge all programs and services with Humber Memorial Hospital on Humber's site;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the recommendation of the Metropolitan Toronto District Health Council to close Northwestern General Hospital be rejected by the government of Ontario and that it keep Northwestern hospital open forever."

#### TTC SERVICE

**Ms Annamarie Castrilli (Downsview):** I have a petition signed by hundreds of my constituents in Downsview.

"To the Legislative Assembly of Ontario:

"Whereas the Toronto Transit Commission is considering the elimination of the Calvington bus 120A, which serves over 500 residents of the Downsview riding who will be required to walk for as long as 35 minutes to the nearest bus;

"Whereas the Toronto Transit Commission's decision adversely and unreasonably burdens these residents, a large part of whom are senior citizens and high school students;

"We, the undersigned, petition the Legislative Assembly of Ontario to take the necessary action to not bring about the elimination of the Calvington bus route, 120A, or at least provide rush-hour service."

I have signed my name to this petition.

#### COLLEGE OF TEACHERS

**Mr Dominic Agostino (Hamilton East):** This is from the Ontario Catholic Teachers' Association and the teachers of Our Lady of Peace, St Raphael and Our Lady of Victory school in the Halton separate board.

"We, the undersigned, are writing to you as constituents in your riding to inform you that we are opposed to the proposed College of Teachers which your government is intending to legislate. As some of the 130,000 members of the Ontario Teachers' Federation we feel that the



College of Teachers is the creation of another level of bureaucracy, the last thing the teachers of the province need.

"The government could be spending its time more productively on the real issues of education such as providing funding for junior kindergarten, a thorough investigation of the amalgamation of school boards and better vocational and technical programs for secondary school students.

"The proposed College of Teachers does not provide for a fair representation of teachers on its governing council. The proposed College of Teachers does not provide for a fair representation of francophone teachers on its governing council.

"The teachers of Ontario have never asked for a College of Teachers. The Ontario Teachers' Federation, with certain enhancements, could fulfil the powers and functions of the proposed College of Teachers.

"The proposed College of Teachers would impose an annual fee on teachers as well as certain user fees. Most teachers already follow professional development programs and do not need additional bureaucracy to mandate such programs.

"We ask you, the Legislature, to oppose the proposed College of Teachers and make all of your colleagues aware of our position."

#### CHILD CARE

**Mr Michael Gravelle (Port Arthur):** I have a petition sent to me by a single working mother in Thunder Bay, the parent of a three-and-a-half-year-old and a five-and-a-half-year-old, who is very afraid that she may be forced to leave her job if the feared child care cuts come into effect. The petition reads:

"Whereas the Ministry of Community and Social Services is apparently intent on replacing child care subsidies with a voucher system; and

"Whereas this voucher system will discriminate against families presently utilizing subsidies and child care centres across the province;

"We, the undersigned, petition the Legislative Assembly of Ontario to disallow these cuts to this critical economic investment in our communities across the province and to guarantee the current child care subsidy system remains funded and supported."

I'm proud to sign my signature to that.

#### INTRODUCTION OF BILLS

##### REMEMBRANCE DAY ACT, 1995

##### LOI DE 1995 SUR LE JOUR DU SOUVENIR

Mr Boushy moved first reading of the following bill:

Bill 25, An Act to provide for the Observance of Remembrance Day / Projet de loi 25, Loi prévoyant la célébration du jour du Souvenir.

**The Speaker (Hon Allan K. McLean):** Is it the pleasure of the House that the motion carry? Carried.

Does the member have a short statement he'd like to make?

**Mr Dave Boushy (Sarnia):** Just a short one. The bill establishes November 11 as a provincial holiday, bringing Ontario in line with every other province except Quebec.

#### OPPOSITION DAY

##### POST-SECONDARY EDUCATION

Ms Castrilli moved opposition day motion number 4:

Whereas the Conservative policy document New Directions II, A Blueprint for Learning in Ontario reports that tuition fees should represent 25% of the operating costs of a post-secondary education; and

Whereas a recent Statistics Canada report shows that university tuition fees already represent more than 26% of the cost of education; and

Whereas the former NDP government was responsible for a 42% increase in tuition fees and the elimination of the grant portion of the Ontario student assistance program; and

Whereas Ontario ranks second-last when it comes to per-student expenditure on post-secondary education; and

Whereas the Conservative government has failed to act on their promise to establish an income-contingent loan repayment plan; and

Whereas it is immoral to force students to pay the price of Mike Harris's income tax cut to the wealthy through higher tuition fees;

Therefore this House calls on the Mike Harris government not to impose or allow any tuition increase without first demonstrating that students are not paying their fair share of education costs, which according to New Directions II, was set by the Conservatives at 25% of operating expenditure; ensuring that no student is denied access to a post-secondary institution as a result of their ability to pay; significantly expanding existing student aid programs; consulting with all stakeholders; and establishing an income-contingent loan repayment plan as promised.

1510

##### NOTICE OF DISSATISFACTION

**The Speaker (Hon Allan K. McLean):** Before we proceed with opposition day motion number 4, I'd like to inform the House that, pursuant to standing order 34(a), the member for Hamilton East has given notice of his dissatisfaction with the answer to his question given by the Minister of Community and Social Services concerning funding cuts to the VRS and funding of sign language interpreters. This matter will be debated today at 6 pm.

##### POST-SECONDARY EDUCATION

(continued)

**Ms Annamarie Castrilli (Downsview):** We requested an opposition day on post-secondary education today precisely because of the critical importance of our colleges and universities to Ontario's social and economic wellbeing. We believe these institutions play a pivotal role in providing the economy with a skilled workforce that contributes directly to the province's and the nation's productive capacities and abilities to compete internationally. The Liberal Party believes it is necessary to ensure that our post-secondary education sector remains vibrant, innovative, accessible and competitive.

The world has been undergoing a transformation over the last couple of decades in which the barriers of distance have been obliterated, creating in many respects a much smaller and more accessible international com-



munity. This process has been spurred by a rapid advancement of high technology, particularly in the telecommunications and transportation industries, that has on its own wiped out the main significance of both geographical distance and international borders.

The result has been a continual movement towards a modern, globalized economy. Because the significance of distance has been reduced, many of the world's developing countries are now in a position to compete in the international export markets more than ever before. This has offered the developed nations a real economic challenge, requiring new and innovative philosophies, approaches and skills in order to remain competitive.

Our success at meeting this challenge will depend primarily on our ability to generate and sustain a highly skilled workforce that will ensure not only economic stability but indeed continued economic expansion. The vehicle by which we achieve this is post-secondary education.

A review of the Progressive Conservative Party policies and prior statements in this House would suggest at first glance that the new government fully believes in the pivotal link between post-secondary education, job creation and general economic prosperity.

In fact, the Tory policy paper *New Directions, Volume Two: A Blueprint for Learning in Ontario* acknowledges that by the year 2000 half the new jobs in Canada will require more than five years of post-secondary education. It states, "Post-secondary education has never been more important for the future of Ontario's young people." I couldn't agree more, and I would add that post-secondary education has never been more important for the future of Ontario.

The former Conservative Education critic and current member of the new cabinet explained to this House in October 1992 the real significance of our colleges and universities to the broader economic picture. I believe her comments are consequential, for they not only support my vision of the post-secondary education system but further strengthen the Tories' pre-election contention that the system requires increased provincial support.

The member stated, "Without the resources to produce a highly skilled workforce and advanced research facilities, Ontario will be unable to compete in today's global markets."

She went on to argue: "We should be supporting competitiveness and commitment to a well-educated workforce through our universities. Ontario must remain in the forefront of scientific and technological development and educational achievement if it is to maintain its competitive position in today's global economy. Ontario universities make a major contribution to this province's competitiveness and they play a vital role in the development of highly skilled human resources."

The Conservatives have acknowledged that the key economic role of our colleges and universities is in jeopardy because of a lack of funding. Their document *New Directions, Volume Two* explains:

"...our colleges and universities have been weakened by a decade of underfunding. In too many cases, classes

are overcrowded, equipment is obsolete, library facilities are inadequate and buildings are deteriorating. Ontario currently ranks ninth out of 10 provinces in operating grants per university student.... The need for increased funding for Ontario's post-secondary institutions is obvious."

As we have seen so often with this government, that was then and this is now. The Conservative record upon gaining power is a completely different story from its pre-election agenda. Now the Conservatives have made a complete about-face on post-secondary education policy.

The pre-election Tory expression of post-secondary education as the centrepiece of the economy now has been washed away. The pre-election Tory statement that our colleges and universities suffer from severe underfunding now has been wiped out. The pre-election Tory assertion that the system requires full moral and financial support has now disappeared.

In fact, it seems like both the Premier and the Minister of Education have disappeared when it comes to post-secondary education. There have been no major or even minor public announcements or discussions of this sector. There has been no consultation with the schools or the many stakeholder groups to discuss the future of the system or even the government's funding intentions. Where is the college and university component of the Education ministry? And where is the minister?

The only area within the sector in which the government has been active is funding. Shortly after taking office, the government departed with lightning speed from its former role as supporter of our colleges and universities in favour of its new role as executioner. The government's true views about education, its lack of commitment to education, innovation and skills development, were made immediately and abundantly clear.

Direct operating spending for colleges was reduced by \$6.8 million while universities received \$16.8 million fewer. Program spending was slashed, including the elimination of the high-performance computing commitment, for a total reduction of \$149 million. Soon after, the province backed out of a prior provincial commitment to support the United Nations university at McMaster University, an initiative that would have focused the world's attention on Ontario.

Yet there are strong data in favour of strong government financial support for post-secondary education. Consider the facts.

Fact: Ontario now ranks ninth out of 10 provinces in its per-student spending and intends to spend even less. In comparison, public institutions in the United States receive one third more money than similar Ontario institutions, while 49 out of 50 states intend to increase university funding even more this year. At a point in time when competitiveness is so crucial to this country's ability to sustain our standard of living, it appears once again that we will choose not to compete, to make choices that will clearly place us at a severe disadvantage. If we choose not to compete with our closest neighbour, how can we expect to compete internationally?



Fact: The higher the educational level one attains on average, the more likely that individual is to gain employment and the higher that person's income will be. In real numbers, this translates into almost a 4% difference in unemployment rate and approximately a \$17,000-a-year income variation between those who attained secondary school and those who have achieved university degrees. This means that a university degree improves one's possibility of finding a job by almost 50% over the rest of the workforce and by almost two thirds over those with only an elementary education.

It is also important to note that between 1989 and 1994 the employability of university graduates increased by 16%, while the employability of those without a degree actually declined by 4% during the same five years. But the government has apparently decided to overlook these facts. It pays mere lip-service to the importance of employment and personal income.

1520

Fact: The Ontario government already underfunds post-secondary education. The Tories themselves have admitted that. To place this in context, though, even though student enrolment has increased by 40%, universities' share of the provincial budget has declined by one third during the last 20 years, falling far behind growth of the economy.

When one takes inflation into consideration, provincial operating grants to universities for each student have been slashed by roughly 25% during that same period, ensuring that institutions have much fewer resources in order to prepare students for the competitive world. This leaves Ontario, as I have stated, ranked ninth out of 10 provinces in terms of per-student spending.

Compare these figures with what has happened in other government sectors: Spending per persons served by hospitals over that period has gone up by 76%; spending for elementary and secondary students has increased by 42%; and spending for institutionalized adult offenders has risen by 9%. Thus, in terms of total spending per person, post-secondary education has been disproportionately attacked: 14% reduction for universities and 25% for colleges of applied arts and technology.

These data suggest that our post-secondary education sector is not only falling behind other sectors but also behind other provinces and other countries. This is a very dangerous trend that does not bode well for Ontario workers, employers or the economy as a whole.

As bad as this situation is, it will pale in comparison to what will develop after the funding cuts that the government is expected to announce tomorrow and after they take effect. Not only will the entire post-secondary education sector be thrown into chaos by these unilateral cuts, but the economy will also suffer very directly and immediately.

The Conservative government campaigned on the position that students should not be required to bear, through tuition, more than 25% of institutions' operating costs. Yet Statistics Canada reports that tuition already represents 26.2% of general operating income, and the government apparently is considering further substantial increases. This not only represents an additional burden

on students but also a further drain on disposable consumer income.

Professor Atif Kubursi, a faculty member from the economics department of McMaster University, recently authored an economic analysis for the Council of Ontario Universities entitled *The Economic Impact of a 20% Cut in Ontario Government Funding Grants to Universities*. This report highlights the fact that our colleges and universities are themselves major net contributors to the economy, as both major employers and consumers.

Professor Kubursi concluded that a 20% funding reduction to universities, or \$376 million, which is what that 20% represents, would translate, through the trickle-down effect, into a \$1-billion reduction in the gross provincial product, a \$1-billion loss to the economy.

This massive decline in provincial output would lead to employment losses equivalent to 15,000 person-years, 60% of which would be lost outside of the universities. This would have devastating results for all parts of the province, but particularly for those areas and communities that have few other economic strengths or that are vulnerable to economic fluctuations from reliance on the resource sector.

This process of jobs losses and consumer spending reductions would then lead to a decline in government revenue of approximately \$317 million. Therefore, the total net saving to the provincial government would be at most \$60 million, and could be much lower; that is, they are taking \$376 million out of colleges and universities to at best achieve a real saving of \$60 million. I therefore ask, is permanent damage to our colleges and universities, 15,000 lost jobs and \$1 billion out of the economy, worth all this?

The government is attempting to convince the public that its 30% tax reduction will on its own create 725,000 new jobs. This is a farce. Because of the poor economy, a large portion of this money will not be used for consumer spending but rather will be saved, because people are worried about the future, they're worried about their jobs, they're worried about their children. This has been the experience in other jurisdictions that have tried this method, and there's no reason to believe that it'll be any different in Ontario. Therefore, there will not be a positive impact, nor will that impact be felt immediately.

Let us contrast this with the government's spending cutbacks. The billions of dollars the government is intending to pull out of the economy will have a direct and immediate impact on Ontario. There is no way this government will create 725,000 net jobs simply by providing a tax break to the rich while devastating Ontario's economic infrastructure. To believe otherwise is not only idealistic, it's foolish.

The people of Ontario expect a rational plan, a substantive strategy that will lead to an improved education system that will assist in creating a long-term solution to the province's economic difficulties and ensure that Ontario remains competitive in the global economy. So far, we have seen no indication that this government even intends to grapple with these critical issues, let alone solve them.



This government's plan for Ontario colleges and universities can be characterized as follows: Their short-term plan is to slash funding to colleges and universities, despite the fact that these cuts will damage the quality of Ontario's colleges and universities and make post-secondary education less accessible; their long-term plan is to allow colleges and universities to increase tuition when students have already seen tuition rise by 42% in the last five years. Beyond that, they have no plan. There is no indication that colleges and universities are important to the economy, that they're important to academic learning, that they're important to Ontario.

This is not acceptable. It's not acceptable to us as Liberals, it is not acceptable to colleges and universities and it is not acceptable to students, their families and their parents. It is not acceptable to the people of Ontario, and I urge all members of this House to support our motion.

**Mr David S. Cooke (Windsor-Riverside):** I will be brief but I have a few comments with respect to this resolution today.

I first of all have to make a comment with respect to the Liberal position on this particular issue, especially with regard to the position just taken by the previous speaker, who I remember very well was chair of the board of governors at the University of Toronto at the same time that that particular organization—and I assume that she supported the position that was taken by the president, because I know the president of the University of Toronto quite well and he would never take a position that was not supported by the chair and the board.

That university took the position that the Council of Ontario Universities always takes, and that is significant increase in tuitions. In fact, the COU took the position of a 50% increase in tuitions in one shot, which our government did not accept. The previous speaker, the Liberal spokesperson, will know that the University of Toronto took the position that tuition should be completely deregulated.

1530

I certainly understand the view the Liberals take on these particular issues, but it's important that all of us in the Legislature constantly remind the Liberals and constantly remind the member for Downsview that her position has been terribly inconsistent. I really wonder how much credibility the former chair of the board of governors at the University of Toronto has, knowing her history of asking for massive, massive tuition increases when she served as the chair of that board of governors.

Not wanting to dwell on that particular issue any longer—but I certainly hope other members will build on that thought—I want to turn for a second to the comments and the question asked by my leader today of the Minister of Education and Training. I want to again read the quote from the program Focus Ontario. I remember watching this program and thinking to myself that the current Minister of Education and Training must have spent a fair amount of time talking to Bette Stephenson, the former Minister of Education under the Conservative government, because it's been almost a crusade of Bette's to push for private universities in the province of Ontario.

I want to read again the quote from the Honourable John Snobelen: "Well, we've said that's something that will likely happen," referring to privatization of universities. "I believe frankly it's inevitable in Ontario, as the university structure changes, that some of that will come on. I have no timetable for that at this point in time."

There is no confusion about the current public university system we have in Ontario, where a significant level of public taxpayer dollars, federal dollars and provincial dollars, go into funding our university system; that the tuitions are regulated by the provincial government; and that through organizations like the Ontario Council on University Affairs, advice is offered to the Minister of Education and Training and the government of the day. The institutions we have in Ontario right now are public institutions and there is public policy set by the provincial government of the day.

Private universities are quite different. The tuitions are completely unregulated. No public dollars go into those institutions. They would set all the criteria for their own universities and would restrict access to those universities.

There's no confusion at all on our part, but I certainly hope the minister today will explain what he meant. I think he would agree that it would be a significant and massive change in public policy in Ontario if we privatized any of the universities in Ontario. There are fundamental questions like, what would happen to the infrastructure that we as taxpayers have paid for? Those are institutions the public owns, not the individual institutions, not private investors. The public owns those institutions and that's been the commitment in this province for many, many decades. We've never accepted the privatization of universities.

I think it's absolutely essential, when we talk about the post-secondary education system, that we talk about our college system, fundamental to training, fundamental to the links between the private sector, to the needs of business and the training made available; fundamental if there's ever going to be the training that needs to be made available to the unemployed, to the welfare recipients who are employable and can get back into the workforce. There needs to be those training options and the college system needs to be a fundamental and major part of the training system.

We did some of that. I would suggest that we need to do more of that. We cannot reduce the amount of funding to our college system. We need to increase it so that more spaces can become available and more people in this province who need retraining and training can access that.

The Ontario Training and Adjustment Board is also a post-secondary training system in Ontario. It's in its infancy stage, but there is a partnership in the way that organization is run, and for the first time it depoliticized the way dollars for training are allocated. It has in it the infrastructure to have a long-term training strategy in Ontario once and for all, with true partnership between business and labour.

Tens of millions of dollars have already been pulled out of that system by the current government. I say to the



Minister of Education and Training that that cannot continue to happen, not if you're serious about getting the unemployed back to work.

When it comes to our university system, research and teaching are fundamental, and access to those institutions is fundamental. Currently, tuitions pick up 26% of the cost of a university education—26%. I repeat that number because I still hear Conservative members talking about tuitions picking up only 15% and 16% of the cost of a university education. Well, 26% is what tuitions now pick up in our university system. There's not much room for flexibility.

The Ontario student assistance program provides some level of accessibility. It's not a perfect system, but I think the minister would agree with me, because I'm sure he's had the same briefings I've had, that when you raise tuitions now in the system about 75% of the increased cost for tuitions then is borne by the provincial taxpayer through increased costs of the Ontario student assistance program.

That's a tough reality, but that is the reality. If you're looking tomorrow at massive cuts to the university system, the fact is the taxpayers are going to pay for it through OSAP, the student aid program, and the only way of controlling those costs would be to put absolute caps on how much money can be spent on OSAP. If that's the case, you're going to have a real negative impact on accessibility to our college and university system.

There is another option, the income-contingent program, but our government rejected that in the end because we looked at the long-term cost of an income-contingent program, and the long-term cost to the taxpayers was phenomenal. It was going to be a very expensive program, and we felt that to be fiscally responsible we could not put in an income-contingent program, even though philosophically I totally agree with it. The deferred interest, the deferred cost that the taxpayers pick up is in the hundreds of millions of dollars. In fact, when you look 20 and 30 years out, it gets into tens of billions of dollars in one model that was looked at by the ministry when we ultimately rejected the plan. Unless those costs were very much controlled and shared by the federal government, it simply would be unaffordable at the provincial level.

I really encourage the minister to fight hard in treasury board or Management Board and in cabinet for improved accessibility and improved spaces in our college and university and OTAB systems. This is the future for our province. Every labour market study shows that the need for more post-secondary training and education is fundamental to the growth of our economy in Ontario. If we don't keep up with that investment, it may reduce the deficit in the short term, but it will increase the deficit dramatically in the long term. It will decrease our competitiveness in this province compared to other jurisdictions. This is one area where investment makes sense, both for jobs and for individuals in our province, and I encourage the minister to fight hard for education.

**The Deputy Speaker (Mr Bert Johnson):** The Chair recognizes the Minister of Education and Training, from Mississauga South.

**Hon John Snobelen (Minister of Education and Training):** Mississauga North, Mr Speaker. Mississauga South is a fine riding and well represented, but I represent Mississauga North.

It's my pleasure today to rise in the House to speak about an important subject for the future of Ontario, the education system, particularly the post-secondary education system, in the province of Ontario.

I've taken note of the remarks of the honourable members opposite and I must say—I don't think this will surprise the members opposite—that I was particularly taken by the member for Windsor-Riverside's comments regarding the sudden transformation of the member for Downsview from being fully in favour of deregulation of tuition fees to whatever the current position is, although I wasn't able to discern completely what that position is.

**1540**

In the past few months, our government has been moving quickly to make significant reforms that will enhance the quality of the education Ontario students receive and will make the system more accountable to the public that pays for it.

As part of our reforms, we established the Ontario College of Teachers to regulate the province's teaching profession. The college will develop and enforce rigorous standards for teachers and help to improve accountability to students, parents and, equally important, taxpayers.

We also introduced a comprehensive testing program to provide information on the students' performance to help them improve. Province-wide tests will be conducted by an independent agency, the education quality and accountability office, which will dedicate itself exclusively to the quality of Ontario's education system and will be able to respond to the public's demand for closer scrutiny and greater accountability.

Yet another of our reforms will better equip students to go from secondary school to university, college or directly to work. We have started to develop a more focused, relevant and meaningful four-year secondary school system that will be driven by rigorous standards, high levels of expectation, and better career preparation for all students. This new system will focus on the needs of all students, not just those going to university. After all, two thirds of Ontario's students take another avenue. My colleague Toni Skarica will elaborate on this later today.

I'm pleased to have this opportunity to talk about post-secondary education. Post-secondary education has never been more important for the future of Ontario's young people. We know that by the end of the century, almost half the new jobs created will require more than five years of education beyond high school.

Our government has made a clear commitment to develop an education system based on excellence in student achievement, accountability to all taxpayers and affordability, and to have a training system that is geared to Ontario's needs for economic renewal.

The honourable member for Downsview has made reference to our policy document called *New Directions, Volume Two: A Blueprint for Learning in Ontario*. I must



point out to the honourable member that we're the only party to have put out such a thoughtful, detailed document long before an election. This was not a last-minute red book, but proof of our true commitment to education.

We've said that education reform is essential if Ontario's next generation is to find high-paying, productive jobs in an increasingly competitive world market. We believe this is true now more than ever before. Our priority is to prepare our young people for the future, but we must also prepare the future for our young people.

For too long, Ontario has been spending way beyond its means. An \$8.7-billion deficit is not a sensible way to run a province. We are spending enormous amounts of money just carrying that debt. In fact, Ontario's interest bill translates into almost \$800 a year for every man, woman and child in the province.

Let me put that in another context. Currently, this government's total debt is \$100 billion, with interest charges piling up at the rate of more than \$1 million every hour. That means that this year we'll pay out \$9 billion in interest costs alone. That's a staggering amount of money.

The member for Downsview raised the issue of morality a few moments ago. I say it is immoral to force our present students to carry the burden of that huge debt into their futures—immoral and unfair. Unfair because, if not reduced, in 10 or 15 years that huge debt would force the government of the day to eliminate social programs that we enjoy today. So they would be betrayed on two counts. We are not going to let that happen.

Our first priority, therefore, is to get our province back on track financially. We must reduce Ontario's crippling debt to improve the climate for job creation. Only with a healthy economy can we achieve the growth necessary to protect essential services.

My ministry spends nearly \$9.2 billion a year to support education operating and capital requirements in this province. Of that \$9.2 billion, almost all of it is paid out in transfer payments to colleges, universities and school boards.

We intend to make the education system more accountable, so we must ensure that our resources are well deployed and efficiently used.

The taxpaying public has told us they want better value for their tax dollars, and the education system can certainly improve in this area. They want to know that we're providing a first-class education to our young people, and they want and expect a highly educated, well-trained populace that is ready to meet the challenges of our new economy.

In the post-secondary sector, it's clear that the future fiscal environment is going to be quite different from what it has been in the past.

In 1995 the federal Minister of Finance announced a new funding model which will lead to a \$3.6-billion cut in transfer payments to Ontario. Coupled with Ontario's need to reduce expenditures, this means our colleges and universities must look at restructuring. Like other educational institutions, they will have to come to grips with the reality that there is simply less money available and

that there will continue to be less money available for the foreseeable future.

The challenge will be to keep in sight the fundamental goal of the post-secondary education system, which is to deliver education that meets the needs of today's students who will be shaping tomorrow's world. By restructuring, working cooperatively at local levels and streamlining operations, I am confident that the post-secondary education community will be able to reduce overall costs while maintaining and in fact enhancing high quality education for all students.

We need to enter into a real dialogue with the post-secondary sector to come to grips with the issues that are critical for the future.

In the next few months, we'll be focusing on such challenging issues as student and provincial shares of post-secondary funding, accessibility and program rationalization within each of the sectors. We will also look at opportunities for coordination between colleges and universities and between the post-secondary and secondary sector.

In terms of program rationalization, for example, we will have to identify labour market trends. We'll have to work out a geographical distribution of programs that makes sense and make sure there's demand for our graduates.

Tuition fees will continue to play an increasing role in the funding of colleges and universities. In order to bring about a healthy economic environment in Ontario, we will have to make some tough decisions, including allowing flexibility in tuition fees so that they reflect a fairer share of the actual cost of education a student receives.

Let me point out, however, that over the last 10 years tuition fees have increased significantly. The member opposite has made reference to something like a 42% increase under the NDP government. My office tells me that it's actually closer to 50%, and the Liberals, as I said earlier in the House, raised tuition by over 30% when they were in government. I'm now led to believe that the member for Downsview would have had us totally deregulate tuition fees a matter of a few months ago.

With the staggering debt we have inherited from the two previous governments, along with cuts to federal transfers, our government is facing a financial situation much more critical than ever faced before. We believe tuition fees represent a real investment in the future, both from an individual and a societal point of view. Statistics show that those in post-secondary education are more successful in the job market than those without a higher education. They earn higher salaries and are less likely to be unemployed.

In the Common Sense Revolution, we proposed a partial deregulation of tuition fees so that students pay a fairer share of the cost of the education they receive. This is an area we'll explore in the upcoming months.

Currently, students in college pay about 19% of the total cost of their education, while students in university pay about 25%.

Tuition is an area which we will address with our post-secondary partners, including the students. As the direct

beneficiaries of post-secondary education, students should be involved in decisions that affect the quality of their education.

We're also looking at ways to make post-secondary education affordable for everyone. We have a commitment in the Common Sense Revolution to implement a new income-contingent loan program similar to others being introduced around the world.

My colleagues and I were delighted when in September 1994 the Ontario Ministry of Education and the federal government, together with the Council of Ontario Universities and the Association of Colleges of Applied Arts and Technology of Ontario, cosponsored a national symposium on income-contingent loans. We were, however, greatly disappointed when discussions fell apart because the previous government backed away from this approach. We believe the approach can be made successfully.

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Several months ago I met with the federal Minister of Human Resources Development, the Honourable Lloyd Axworthy. We agreed to start working on the feasibility of implementing an income-contingent loan program. We have initiated discussions with federal student aid officials to determine how the federal and provincial student loan programs can best be harmonized to improve services to students and also to eliminate existing overlap and duplication.

My caucus colleagues and I are supporters of an income-contingent loan program because students can repay their loans after graduation based on their income. For people who start out their careers earning very little or have difficulty finding a job at first, their loan repayment will reflect those circumstances.

There are obviously major issues that need to be resolved in income-contingent loans, not the least of which is how the overall program would work and who would deliver it, and how much it would cost and how it would be funded. But those issues can be addressed and can be overcome.

What is needed is a new framework for developing policy on post-secondary education to make sure that everybody's needs are met and that we have the best education and training system we can afford, and in fact the best in the world. Improving Ontario's education and training system remains a major priority of our government while reducing overall spending in this sector. There will be tough choices to make, because these tough choices were not made yesterday. In the end we'll have a better education system that meets the needs of the people it serves: the students and the taxpayers of Ontario.

**Mr Michael Gravelle (Port Arthur):** I am proud to rise in the House today to support this important resolution put forward by my honourable colleague from Downsview, and certainly saddened to hear some of the comments of the Minister of Education and Training, particularly when he talks about a consultation process that will potentially take place after the cuts have come down. That certainly does not seem the way to go.

The students attending Lakehead University and Confederation College in my riding of Port Arthur are more than concerned with this government's focus on cost cutting at all costs. There are some issues that are too valuable to the wellbeing of this province and its future for the government to arbitrarily undermine them, and our post-secondary education system is one of them.

A report released Monday by the Canadian Council of Ministers of Education says it all: Unemployment decreases as education levels increase. This puts increased pressure on young people to attain post-secondary education. While the reality of the current economy and labour force has resulted in increased enrolment, the support that students receive is now in dire jeopardy.

According to the Ontario Undergraduate Student Alliance, in the last five years alone the number of students forced to take out student loans has increased by 76%. Now this government has pledged to put even further pressure on students to pay for their education, without ensuring that there are sufficient mechanisms in place to provide support to those students who may not be able to finance their education independently in the face of cuts to programs and increases in tuition.

What such a decision fails to consider is the economic status of most students. As young people, their employment is restricted to summer jobs and, at best, part-time work during the year. We are all aware that most of these jobs provide little more than minimum wage, and certainly their part-time or seasonal nature cannot sustain an individual for the duration of a school year, regardless of one's affinity for Kraft Dinner or tuna. With the future of youth employment programs also on the government's chopping block, a student's ability to finance his or her own education is further jeopardized.

The government's concession to students, an income-contingent repayment program, certainly not yet in place, is one thing, but while this might provide relief for graduates once they enter the labour force, it will do nothing to alleviate the financial pressures during the time when the students are in school. We, as elected representatives and legislators, need to proceed with extreme caution. We owe our students more than quick solutions that serve ideology before they consider the human factor.

The basic fact is that the future of any society can be measured by how it treats its youth. This government needs to understand that access to education cannot become an elite privilege. Opportunity and admission to our post-secondary institutions allows young people from across the province to capitalize on their potential and achieve their goals. In return they become our future.

I'm proud to read a message I've received from a constituent of mine in Thunder Bay, a Lakehead University student named Colin Parent. He writes, and I will quote him:

"We students and our families are the present and future taxpayers in the province of Ontario. We too want the best value for our tax dollars. I believe that present level or stable funding to post-secondary institutions is an excellent way to maximize the value of our tax dollars. Affordable education allows more people to become



productive citizens and reduces their chances of becoming a future drain on Ontario's services. Educated people become for the most part responsible and productive citizens and good decision-makers. Investment in post-secondary education benefits Ontario economically. Accessible education is the lifeline that contributes to an individual's success in later life. If the lifeline is cut, the lives of future generations will be mortgaged in the name of deficit reduction.

"Remember that we young people will inherit the damage created from your short-sighted policies. Ontario cannot be governed by ideology alone. Modern societies are far too complex for old-fashioned solutions.... Education" may be "a hand up, not a handout." But "affordable, accessible education has certainly benefited my life. I hope it will benefit others as well."

Well-spoken words I'm proud to read, because we cannot afford to gamble on the future. Of all the resources that Ontario has in abundance, none is more important than the minds and talents of our young people.

Consider as well the many spinoff effects that post-secondary institutions bring to our communities. Dr Robert Rosehart, president of Lakehead University, is quick to point out the positive influence of having both Lakehead University and Confederation College in Thunder Bay. He estimates that the total economic impact of Lakehead University on the city of Thunder Bay is somewhere around \$182 million, with an employment of almost 2,000 people. This is being threatened by these potential cuts.

Let me give you a sample of some of the further benefits at Lakehead University. They offer courses and programs in 18 different communities in northwestern Ontario and they extend programming to the rest of the region and Canada through their distance education department. Their applied research and education in the fields of health and gerontology are particularly valuable to northwestern Ontario, where services and resources are limited.

The expertise, the energy and the enthusiasm of students, staff and faculty is an extremely significant contribution to the volunteer power of the community. Research support to business and government has been significant, and mutually beneficial liaisons continue to develop. All these things are threatened.

Let's face it, if you impede students from attaining post-secondary education, you strangle the institutions and eradicate the positive benefits that these institutions have on their communities. Nobody wins.

This resolution urges the government to move in ensuring that all Ontario students have equal access to a post-secondary education. I proudly throw my support behind this resolution and urge all the members in this House to do the same.

**Mr Rosario Marchese (Fort York):** It's a pleasure to speak today on the motion that has been moved by the member for Downsview. I'm going to say some kind things about this motion and some unkind things about it. I will begin by making some remarks about what the federal Liberal government is doing, moving down to

what the provincial government might have done, then getting to the motion as briefly as I possibly can.

The federal Liberal government has been gutting many of our services for quite a number of years, in fact abdicating its responsibilities for quite a number of years. The federal Conservative government began these cutbacks against this province, being unfair to Ontario in particular by capping the Canada assistance plan many years ago and by reducing federal contributions to post-secondary education that had begun a long time ago.

The federal Liberal Party and government have continued unrepentantly with those cuts since they got into power. I regret that and I think it's a shame and it needs to be mentioned. I know that the taxpayers out there, as the Conservative folks speak about them, say we shouldn't be blaming any particular government, we're all one taxpayer and we should do what we need to do as government.

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The point I make is that the federal government is cutting \$1.4 billion in 1996-97 and \$2.2 billion in 1997-98, and that is particularly harmful to this province. It should be talked about. My only hope is that the member for Downsview and her other Liberal friends from Ontario will call Jean Chrétien and say: "Jean, why are you doing this to us? Why are you cutting back so severely in a way that is killing this province?" My feeling is they're not going to call Jean Chrétien, their Liberal friend. They might call Sheila Copps and try to talk to her about this. But it won't happen.

So as a reminder, the federal Liberals are abdicating the important role the federal government has played in funding post-secondary education over the past 30 years. It's a shameful act. I needed to remind them because they never talk about it.

What would the Liberals have done? We don't know. We have lots of promises here. They made thousands of promises that would have cost millions, if not billions of dollars. They made thousands of promises, of course, that would have cut millions and billions of dollars. It's difficult to understand the Liberal position around anything. It is certainly a very slippery thing, but people need to understand the particular Liberal slippery philosophy and policies. They're all in here and I advise the folks to read that.

I want to say, as it relates to this particular issue of tuition fees, the increased demand for social assistance no doubt will be a major challenge to this government as we deal with tuitions, because as they destroy this province and as they impoverish a whole lot of people out there, there's going to be a great demand for support in order to be able to get to university. It's a challenge. I'm not sure that this government cares about how it's going to deal with increased demand for student loans, but I'm sure that this government will deal with that as the demand comes up.

The federal government is doing the following: The interest rates on Canada student loans now begins accumulating the minute the student graduates. In Ontario, the student loans are interest-free until six months after they

begin working. We think this particular thing that we've done in Ontario is fairer to students because it gives them a chance to find a job. What the federal Liberal government is doing through their kind of system of loans is to make them pay right away irrespective of whether they have a job or not.

The federal government has also privatized the student loan system by making exclusive deals with the banks. The Ontario student loans are collected by the government, not by the banks, as the federal Liberal government is doing. We have shown through our own programs that the default is lower in Ontario and that they're cost-effective because they're run by our government, by civil servants.

What I worry is that the Conservative friends of mine on the other side are likely to do the same thing as their federal Liberal counterparts. That's my fear, so I urge the people of Ontario to pay attention to what is likely to happen, because what the Liberals are doing at the federal level, these Conservative members at the provincial level are likely to do the same, and they should fear it.

The income-contingent loan program is an interesting program. I particularly find it interesting because it says that students should pay, once they graduate, according to the kind of money they're making. It makes sense; it's based on ability to pay. My colleague from Windsor-Riverside said that would be very expensive for governments. I appreciate that. I understand the concern that he raises and that we as a government have to pick up on those costs if we get into such a program.

On the other hand, I argue that that would be a fairer way to have students pay their student loans, because it says if someone is making \$100,000 once they start work, they should be paying accordingly, and if someone is only making \$20,000, they should be paying accordingly. So it's a fair system that, in my view, we might want to address or look at by referring such an issue to the standing committee on social development for further discussion because, in my view, it's appealing.

That's not a solution. It will not solve our problems. It's a fine idea to be explored, but that is not a solution to the problems of student loans. The solution is certainly not to give the income tax cuts that you're proposing.

The Minister of Education says it is immoral to have our students pay for this huge debt we have. I put to him and to the members gawking on the other side that what is immoral is that these fine members on the other side have to take \$4 billion away from needed programs to give \$4 billion to their wealthiest friends. That's immoral, not what the Minister of Education is saying. They've got it all wrong.

But again, they're infallible, they have all the answers. Their smugness is intriguing, but the people of Ontario will read through that, will understand very shortly, the next day, once they cut another \$4 billion, what it really means to them and what it means to give \$4 billion in income tax cuts when they take those \$4 billion away from much-needed programs. They will learn and they will tell these fine members, these smug, infallible members, what it really means to them.

Students will have to suffer permanently because of those income tax cuts. They will suffer permanently. When they cut drastically to university education, a number of things will happen. Because of this foolish move by this government, a number of things will happen: It will make access to post-secondary education more difficult for students who cannot afford to pay, because tuition fees will skyrocket, there's no doubt about that; it will have a disastrous effect on jobs in the universities, on programs; and it will have a disastrous effect on the very quality of education that our Minister of Education so proudly speaks of. It will erode it, there's no doubt in my mind about that.

We say to the Liberals with this motion, go after M. Chrétien. We say to you, be clear about what your position is so we understand how you would have solved all these problems. We say to you, we agree with you on the income tax cuts the Conservative government is implementing as being a fundamentally immoral thing that will hurt everybody in this province.

**Mr Terence H. Young (Halton Centre):** As the minister has stated, Ontario has been spending beyond its means for too long, and we cannot in good conscience continue to run a province with a \$9-billion deficit. As a government, we are spending enormous sums of hard-earned taxpayer dollars just to carry that debt. That's not what I want to leave behind to the next generation.

Speaking of future generations, I've been talking with many young people around the province these past few months. They've told me that they don't want the debt; they want to be part of the solution.

Managing this debt means not only spending fewer dollars or cutting transfer payments; it means getting better value for our tax dollars and providing our services more effectively and more efficiently. We are clearing the way for a better, brighter economic future for our children. As the minister has said, we must not only prepare young people for the future, we must prepare the future for our young people.

There are many concerned and caring educators and administrators in our colleges and universities. They also believe in our young people and want to do whatever is necessary to deliver not only excellent education for learners but a promising future for our youth.

This afternoon in the House and this morning at her press conference, the member for Downsview said that there have been no consultations. Well, I say to the member for Downsview that I've had the privilege of meeting with many members of the educational community over the past few months. I have visited many of our colleges and universities, and it is my intention to visit all of them. Everywhere I've been I've made a commitment to continue the dialogue that has been started.

I met with people at Lakehead University, the University of Toronto, York University and at the University of Western Ontario. I've been to Confederation College, Northern College, Collège Boréal, McMaster University and Ryerson. I've travelled to Canadore College and Nipissing University and the universities of Waterloo and Guelph. I've met with students, with representatives of faculty associations, with members of the administration and with the boards of governors.



At Seneca College I spoke to 150 students, teachers and staff during a lunchtime speakers series. The crowd of 150 people stayed after my speech and asked questions for 45 more minutes. I think that's a good indication of interest, of concern and of the dialogue going on in the institutions and between governments and the people we serve. That is consultation.

I'm heartened by these visits. What I've witnessed is people gathering together to ensure that post-secondary education is accessible and affordable.

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People are aware that tighter fiscal management is necessary and students are aware of the need for the inevitable increase in tuition fees. They know that the provincial debt cannot continue to grow. These people have been searching their hearts and minds for solutions to ensure that their colleges and universities continue to provide excellent education. There is a wealth of ideas and creative thought in our colleges and universities. People are offering up solutions, from special bursaries for students with limited financial means to innovative ideas on restructuring and partnerships.

Our colleges and universities are committed to helping develop a new financial framework of shared funding responsibilities among students, post-secondary institutions, taxpayers and other community and business partners, and they will continue to offer an abundant range of educational opportunities to all learners in the province. They're building upon past successes, and as a government, we are facilitating their future successes.

Let me give you an example of one means we have recently established to do that: the Advanced Training Consortium. Our ministry is working with the Council of Ontario Universities and the Association of Colleges of Applied Arts and Technology, as well as the Franco-Ontarian Education and Training Council, to set up the Advanced Training Consortium to improve student mobility between institutions and promote joint college and university programs.

This consortium will promote and coordinate education and training ventures among colleges and universities. It is especially interested in joint ventures that can play a key role in Ontario's economic growth. It will facilitate the transfer of course credits between colleges and universities and it will also help clear the way for students to move more freely from college to university and vice versa. The Advanced Training Consortium will open doors for learners and educators.

Another success story in Ontario is distance education. This province's distance education service has been held up as a model for other jurisdictions to follow. We are continuing to add on to it and to open it up to more and more students. Distance education can help colleges and universities expand their options for delivering courses. For students, distance education offers more choices on methods of study. Students in remote communities, students whose lifestyle demands more flexible study and classroom time, and students who work best independently will all benefit from distance education programs.

One example of a new and exciting distance education initiative is the Franco-Ontarian distance education network, a collaborative project of the three French-

language colleges, la Cité collégiale, Collège Boréal and Collège des Grands Lacs, and the four bilingual universities, the University of Ottawa, Laurentian University, Collège universitaire de Hearst and Glendon College of York University. These institutions are using video-conferencing and other distance education technology to increase access to education across the province.

Universities and colleges are looking at the new advances in information technology to help them serve more students. At Atkinson College at York University this fall, courses were offered via the Internet for the very first time.

The engineering faculties of McMaster University and the universities of Waterloo and Toronto have teamed up on a video link that connects classrooms on three campuses. It's known as the McWaTor project and is another excellent example of collaboration where everyone wins. Graduate engineering students and lifelong learners in business and industry will benefit from the superior education that the McWaTor video link will provide. This private initiative of open learning is one which this government will continue to encourage.

Let me share some further information on developments in the post-secondary sector. Since 1993, colleges of applied arts and technology have been developing a prior learning assessment system to open up their institutions to increasing numbers of mature students. Through prior learning assessment, adult learners are given credit for previous work and life experience so they do not have to duplicate their learning efforts in the classroom. This is a tremendous benefit to many mature students.

These are some of the initiatives we are pursuing with our college and university partners to continually maintain and build upon the quality of post-secondary education offered in this province. In spite of the province's heavy debt load and in spite of the many demands on the system, we are committed to make use of developments in information technology and developments in our understanding of students' learning to open new doors for Ontario's learners.

I'm proud to be part of this exciting transition in post-secondary education and I am enthusiastic about the accomplishments we will achieve in these next few years in Ontario's college and university system.

**Mr Dominic Agostino (Hamilton East):** I rise in support of—

*Applause.*

**Mr Agostino:** Thanks, Chris.

I rise in support of the resolution by the member for Downsview. This debate today is about the future of post-secondary education in this province. I think it is a shaky future. It's about the future of thousands of young people in this province who are striving to receive a university education.

Often it's going to be about how it impacts individuals, in that university and post-secondary education becomes a way for a better life, becomes the element that breaks an existing cycle of poverty. What is happening and what will happen from this government is going to impact and hurt lower-income individuals across Ontario more than it ever has before.

When it's a question of affordability, it isn't a question of affordability for someone who comes from a fairly well-to-do family and has the ability to pay the cost that accompanies that university or college education. It impacts the sons and daughters of people who are working at jobs that pay minimum wage, jobs that don't pay \$50,000, \$100,000 or \$150,000 a year, people who are struggling but always have a hope and a dream that their hard work is going to give their children that opportunity to go on to college and university and, hopefully, make a better life for themselves.

We all, from all three parties, know a number of cases, dozens and dozens of young people who have taken advantage of that opportunity and have provided a tremendous life for themselves and their families. That opportunity generally has been there in Ontario for many years in the past. I'm afraid it may not be there in the years to come.

We have to ensure that when we talk about the cuts in education, we also realize there's not only the impact on the students, not only the impact on the tuition fee increases and the ability of young people to afford to go to school. I would hope we never have an educational system in Ontario where only the rich, the wealthy and the powerful can afford to send their kids to university and everyone else has to stand on the sidelines and hope for the best and hope they don't get the door slammed in their face because they can't afford to go to the university or college of their choice.

We also have to look at the impact the cuts and reductions are going to have on the university communities. This government likes to talk about jobs, likes to talk about job creation, likes to talk about the private sector, the spinoff effects of the tax cut. This government has to start looking at the spinoff effects of their operating grants and their cuts to the universities across Ontario.

Let me give you an example from McMaster University in Hamilton, in my own community. A reduction of 15% in provincial operating grants to McMaster would translate into \$17 million from the operating budget. This would be the equivalent of the entire faculty of engineering plus the Michael DeGroot School of Business at McMaster. A reduction of 20% would result in a decrease of \$22 million, equivalent to the salaries, benefits and operation budget of the faculty of science at McMaster.

McMaster is the seventh-largest employer in Hamilton, and a 15% reduction will significantly impact the region of Hamilton-Wentworth. A recent study concluded that if a 15% cut to McMaster University occurs, 750 jobs will be lost. These are jobs that are now there, people who are now being employed—750 jobs simply from the impact of a 15% cut to McMaster University. That's only McMaster. Look across Ontario and add that, and realize the impact your decisions are going to have.

Reduced business income—and you'll like this, because these are your friends, the business community, the people you were elected to represent. This reduced business income, just in Hamilton-Wentworth, as a result of this cut to McMaster, will be \$48 million. Local tax revenues will be \$1.5 million. Provincial tax revenues,

the revenues you're going to use to offset your 30% tax cut, are going to fall by \$4.5 million annually.

**1620**

When McMaster University suffers, the entire Hamilton-Wentworth community suffers. Students at McMaster are not a cost; students at McMaster are clearly an investment in this province, are an investment in Hamilton-Wentworth. Tuition fee increases are going to have an impact. Of the 10 provinces, Ontario ranks second-last in its per-student spending on universities. The Conservatives said that tuition should represent 25% of the cost of a post-secondary education; it already makes up 26.2%. Therefore, according to your own government position, there should be no need for a tuition fee increase. It is immoral to make students across Ontario pay the cost of a tax cut for the wealthy.

There should not be an increase in tuition until the government has examined and done the following: demonstrated that students are not paying their fair share of education costs, which, according to New Directions, Volume Two, was set by the Conservative government at 25% of operating expenditures—it's already above that; ensured that no student is denied access to a post-secondary education as a result of their inability to pay that tuition fee; consulted with the stakeholders, because an increase in tuition fees will dramatically affect accessibility to post-secondary education.

Higher tuition fees will prevent young people from getting the education they need to enter the workforce. Higher tuition fees are just another example of the Tory assault on the poor and the disadvantaged in Ontario.

This government has to understand very clearly that when you have large increases in tuition fees, when you have large costs added to universities and to young people going to school, the people that are affected are not the rich and powerful, not the people that this government represents, but they are the young people across Ontario, young people who come from families that don't have the wealth, that don't have the power and often are struggling to get by.

If you want to break that cycle of poverty and you want to have productive people in the workforce in years to come, then you don't do it by increasing tuition fees. What you're doing there is ensuring that the gap between the rich and poor remains, and this polarization of Ontario that you are doing so well, this huge gap that you're creating, a larger gap between the rich and the poor in Ontario, is going to grow even further, and you're going to deny tens of thousands of young people from very difficult families and from families that are struggling in Ontario the opportunity to better themselves.

I hope that this government will consider that and I hope you will consider that university education should be universally accessible to all despite income. We don't live in a province or in a country where your ability to go to university depends on the size of your wallet; it should depend on your ability to go forward, on your ability to produce and on your ability and your drive to better yourself, not the size of your chequebook. I hope this government understands that and takes the steps to ensure that doesn't happen.



**Mr Tony Silipo (Dovercourt):** I'm glad to have a chance to speak briefly to this motion. This being a motion presented by the Liberal caucus today, it's not surprising that we would view it with mixed feelings because of the approach that it presents on the important issue of tuition fees.

We will, on balance, be supporting the resolution and the motion because it does, at the end of the day, make the basic important point, which is to call upon the Mike Harris government not to impose or allow any tuition increases, and because it does bring to the fore—I think in fairness to the Liberal caucus and particularly the member for Downsview, who has brought this motion before us—that very important point, which I think is going to result in a little bit of a dilemma for the Harris government as they try to mesh their various commitments in the Common Sense Revolution with this.

I see the Minister of Agriculture, Food and Rural Affairs shaking his head. Maybe they've got it all worked out. I'm sure that tomorrow all will be clear.

**Hon Noble Villeneuve (Minister of Agriculture, Food and Rural Affairs, minister responsible for francophone affairs):** Tony, you created the dilemma with a \$10-billion deficit.

**Mr Silipo:** But here's what I mean, if the Minister of Agriculture would be interested in listening. The Tories have said, in their Common Sense Revolution, that they are going to be cutting this area of expenditure, that is, transfers to post-secondary education, to colleges and universities, by 20%, as they are going to be cutting elsewhere. Perhaps it'll be even more, as we'll see tomorrow in the economic statement. But they also continue to talk about wanting to maintain access to colleges and universities, and the two things just don't mesh. The two things just are not going to be possible.

I think we will see that in their continuing wish to take anywhere from \$4 billion to \$7 billion, and again we'll have a sense over time to see the exact amounts, take that amount of money, to borrow a lot of that money to be able to provide the wealthiest citizens in the province with a tax cut to a far larger proportion than they will the average Ontarian in the province, in their rush to do that, one of the groups that will be hurt in this process and will be asked to pay that price and that cost will be young men and women who want to go to college and university.

I represent a riding which has people of all different backgrounds: ethnically, racially, certainly even economically, although it is predominantly a working-class riding. I know that the experience that I have personally lived of coming from a working-class background and having had the opportunity to go to university is one that many of the people in my riding want to have for their children. It's certainly something that I want to see for my son.

I know that as they look at what is happening, they're scared because they don't know what is going to be happening and how much more tuition fees are going to be increasing and whether in fact they'll be able to afford the tuition fees that are going to be certainly increasing under this government as a result of the actions they are taking.

It's interesting because the other part of what I think is going to cause a bit of conundrum for the Tory government is the fact that they have set in their Common Sense Revolution a target of some 25%; that is, that tuition fees should represent roughly 25% of the operating cost of post-secondary education.

I think this is where the "whereases" in the motion correctly point out that in fact we're already at that level. So how are they going to deal with this dilemma of saying they're going to cut spending to post-secondary education but they're not going to increase tuition fees beyond what they've already said should be the level, when we're at that level already?

My colleague from Fort York has already pointed out part of the cause of this problem, that is, the federal government having abdicated its responsibility to post-secondary education by cutting, certainly in the next fiscal year, some \$1.4 billion, and I think over \$2.2 billion by 1997-98, something I hope our federal cousins, our Liberal cousins here to the right of us, would not forget. It was interesting that we didn't see in this resolution a "whereas" that also called upon the federal government to play its role, as it has historically done, to fund post-secondary education.

We understand some of the pressures this government is going to have to deal with, because quite frankly they were pressures that we had to deal with when we were the government. But the dilemma, I think, is going to be, as I want to continue to emphasize for them, how they're going to mesh the commitment that they have to cutting funding with the fact that they say they don't want to raise tuition fees beyond the level that is really already there now, at the 25% or 26% level, which is where we are now.

I think the Minister of Education and Training, although he didn't want to admit it today it seemed, was giving one potential answer when, on Focus Ontario the other day, he clearly acknowledged that one of the things that this government was looking at was privatizing universities, deregulating universities, allowing in effect for the privatization of universities.

I think that is something that should scare us and should concern us greatly. We need only look to the south of the border to see what that means. What that means is that the average Ontarian will not be able to go to university. What that means is that for many people in my riding, their sons and daughters will not be able to go to college and university because the increased level of tuition fees will be far, far greater than anything that can reasonably be paid by most people in this province, and indeed any other pieces of this, including the income-contingent repayment, which I think has some merit.

1630

I listened on this point to both my colleague from Windsor-Riverside and my colleague from Fort York, and I must say that it is certainly an area that I know we looked at when we were the government, and something I think is worthwhile taking a look at, but I think with all of the cautions that the member for Windsor-Riverside pointed out about the long-term costs that it has, not just for individuals, but indeed for the taxpayers as a whole.

I know that in looking at this that I have to keep asking myself, and I have to keep reminding myself in bringing before this House, what will higher tuition fees, however they are going to come about, do to people in my riding? What they will do to people in my riding, and I know throughout the province, is they will limit, even more greatly than is the case now, the opportunities for people to go to college and university.

I think if we want to develop in this society and in Ontario a society in which there is greater equity, then what we need to also be doing is increasing the opportunities for people from working-class backgrounds, indeed from all backgrounds, to be able to access post-secondary education.

The system that we put in place, we believe, has improved the situation, because what we did was to ensure that there was a maximum placed on the amount of loan that young people would be asked to repay by saying that no one would be forced to repay more than \$6,000 for each year that they are in school as part of the repayment of the loans they would be receiving, so that there would be a forgiveness of loans beyond that amount to make sure that the burden that's placed upon young people was not unduly harsh, and in fact it was an amount that they could, over a period of time, be able to repay.

That is the kind of approach that we think needs to continue, and it is because this motion from the Liberal caucus essentially addresses that fundamental point of not increasing tuition fees that certainly I for one, and I know many among my caucus, will be supporting it.

We could take issue, as I think we've already done in our previous comments, with some of the points that have been made, certainly in terms of one of the "whereases," the one that says that the NDP government was responsible for a 42% increase in tuition fees. I don't know if the math is correct; I assume that it is. But I do find it a little puzzling that it is the member for Downsview who's raising this issue in this particular way because, as has been pointed out, she was one of the ones that was leading the charge for the government to increase tuition fees.

I know that there is a broader context and I look forward to the reply from the member for Downsview, as she has pointed out that she will do, because I'm sure that she has found a way to rationalize the seeming inconsistency in the position that she took then and the position that she's taking now.

But I have to say, on balance, the point that I think is being made here, and while I think it's appropriate and fair that we point out the inconsistencies that our Liberal colleagues bring to this Legislature on this and many other issues, it's important that we continue to stress that whatever differences we may have today on these issues, they pale by comparison to what the Conservative government is doing, what the Mike Harris government is doing, which is to, piece by piece, dismantle the structure of this province, the services in this province, and even in this area of education, to turn to privatization and to deregulation as the solution, that is, to getting out of the role of governing, to getting out of the responsibilities that historically governments in this province have

played, whether those governments have been Conservative, Liberal or New Democrat, and that is a frightening thought.

That is a frightening thought as we look to the future, that we will have not just less government, because less government is something that I think we could agree on, but that we will have the role of government diminished to the point where we will have handed over to the private sector every instance of what has built Ontario as a fundamental part of Canada into the best place to live in in the world.

That is what is at stake here at the end of the day, and we talk about these things, I know, in their pieces, in their parts. Today we're talking about education, post-secondary education in particular, but that is really what's at stake when we deal, piece by piece, with the Tory agenda.

It is an agenda that says, "We need to get out of governing; we need to get out of what have been traditional responsibilities of government," as I say, regardless of party stripe, and they add to that the basic economic piece that says, "We're going to create 725,000 jobs in this province by giving tax cuts, by borrowing money to provide tax cuts to the wealthiest citizens of the province, but we can't borrow money to provide a good education system for our young people; we can't borrow money to provide a good set of social services for our young people; we can't borrow money to provide good early childhood education, good kindergarten, good child care," which, together with higher tuition fees, we know is at the heart of who is going to get to college or university at the end of the day, because study after study has shown us, if you want to see who's going to go to university or college, take a look at how they're doing in the early years of schooling. That will give you as close an indicator as anything that you can track throughout their years of schooling.

That is something this government does not want to hear and that is why we continue, as New Democrats, to point out the importance of taking care of our young people through child care, of taking care of our young people through providing them with good kindergarten programs, with good education in the early years and with affordable education through, yes, a level of tuition fees as they get into post-secondary education, but a level of tuition fees that is reasonable and that makes it affordable for people from all parts of society to be able to go to college and university, because it's in that access to university that we lay the foundation for a good and healthy society. That is why, despite some of the nitpicking that we can have and I think even some fundamental differences that we may have with parts of this resolution, on balance we will support it, because it's that fundamental point that we need to keep making to this government and to the people of Ontario.

**Mr Toby Barrett (Norfolk):** The motion put forward by the member for Downsview reminds me of the old days of politics when politicians did not offer any alternative solutions following on criticism. In fact, the honourable member will know her party offered no alternative policy during the election.



Nobody wants tuition increases—nobody. To raise these fees would be like raising taxes, which we know, thanks to the 33 tax increases during the Liberal reign, is clearly a Liberal solution. We cannot take easy steps to difficult problems.

Universities and colleges must be part of the solution. They must be partners to better management of our public finances, not part of the problem. We cannot sit here as the government with the responsibility for the good management of taxpayers' money and at the same time transfer money to universities and colleges without expecting that they find savings within their administration to avoid raising tuition fees.

Recently, the leader of the third party spoke at a Convocation Hall rally, University of Toronto, to condemn our government's dedication to spending money wisely. Time and again we hear opposition politicians and student leaders criticizing the government for trying to spend money as efficiently as possible. What is troubling is that I've yet to hear the leader of the third party, the official opposition or, more importantly, student leaders in Ontario, question the manner in which universities and colleges spend public tax dollars.

Are presidents, faculty, administrators of our universities and colleges immune to public scrutiny? Where are the efforts by special interests to uncover any wasteful overspending in universities? We must ask ourselves, do our universities spend our tax dollars appropriately? Should salaries be made public? While the government is trimming its operations and finding efficiencies, and Ontarians are struggling to live within their means, our transfer partners must also work to find the most cost-effective way of investing our tax dollars in post-secondary education.

I've had an opportunity to look through the Liberal policy document and cannot find one option for reforming the structure of university or college funding. Liberals must have thought the current transfer structure and lack of accountability by post-secondary institutions was acceptable.

The Liberal Party of Ontario never offered any concrete solutions during the election and now they complain that universities may choose to raise their tuition fees. But they offer no solution of their own to help keep the fees down. The people of Ontario voted for action, not inaction.

When the Liberals governed this province, tuition fees rose by 34.8%. They rose by 12.4% in the two years Lyn McLeod was Minister of Colleges and Universities. Did the Liberals ever once during this time ask the universities to be more accountable in their spending or to find alternative means of raising funds, instead of raising tuition fees? No, you did not. You did what Liberal governments do best: You raised taxes. You raised them 33 times in all corners of the economy.

1640

Education is important to our government. We are getting our fiscal house in order and are improving the economy to provide graduates with jobs. Thanks to excessive taxes and overspending, the increase in interest costs this year alone, close to \$1 billion, is greater than our government's budget for community colleges.

The total interest on our debt this year, close to \$9 billion, is much greater than our government's total education budget. The Liberal-NDP legacy is what is hurting the accessibility to our post-secondary education system.

This motion before us today proposes only one possible outcome: If you read the lines that are missing, you can see that the proposed solution to holding tuition is to raise taxes. The Liberals may think that is a solution; they obviously thought that was a solution when they were in government. But their tax plan not only failed to stop escalating university tuition fees; it took money out of working students' pockets. They never established an income-contingent loan program when in power, which we will do. They shied away from the income-contingent loans proposal of their federal cousins.

I'd like to talk a bit about fair share, as raised in this motion from the member for Downsview. In 1994-95, Ontario tuition fees were among the lowest in the country. Only Quebec universities on average and Memorial University of Newfoundland have lower tuition fees. However, if the opposition wants to play the numbers game, then let's inspect the numbers a little closer.

In Ontario, from 1984-85 to 1994-95 under the Liberals and the NDP, undergraduate arts tuition increased by 92%. This is according to Statistics Canada.

Both the members for Downsview and Hamilton East stated that Ontario ranks second-last, ninth out of 10 provinces, in student expenditure, having Ontarians believe that this is some new reality afflicting students under our government. The important reality is that Ontario ranked last under Lyn McLeod when she was Minister of Colleges and Universities in 1989-90.

Instead of demanding the government spend more on university education, we should be recognizing that our tuition fees for students attending our universities in 1994-95 were among the lowest in the country. So I would ask the opposition, stop the fear-mongering with students, use the numbers that truly matter: the cost to access university.

The amount of gifts and private contributions to universities in Ontario has also increased in recent years. From 1983 to 1993, contributions from the private sector, not including endowments, almost tripled in Ontario. This helped keep our tuition at relatively lower levels than other provinces. This trend must be encouraged to continue.

While universities must be given more freedom to raise funds to support their operations and hold the line on tuition fees, students who attend university, especially in programs with better-than-average job opportunities, should be asked to contribute more to their education. Further, the cost of tuition must reflect more closely the actual cost of that education and the income potential of that graduate. A degree or a diploma is essential in today's job market. As the member for Downsview has pointed out, your job prospects and your salary increase with a higher education. These students have an obligation to pay their fair share.

The Liberal red book states, "We will not support any measures that would force students to shoulder a disproportionately greater financial burden for their college or

university education." What does this mean? What is the correct proportion? For Liberals, does this mean having a factory worker or a farmer pay a disproportionate amount in taxes to fund a post-secondary education he or she may never receive? To this, I say no. A post-secondary student's fair share of tuition prices should not rely on an unfair share of tax dollars from working Ontarians who have no interest in going to university or college.

I used to teach high school agriculture and environmental science. Most of the students I taught were only attending high school for four years and had no intention of post-secondary education. These students needed a good grounding in high school. They needed on-the-job training. They were good kids and wanted to work in their home community in my riding and ended up working in our tobacco fields, our factories, our retail sector and heavy industry.

Why does the motion introduced by the member for Downsview fail to recognize the importance of this sector in our economy? These people need accessible, private sector, on-the-job training, not a tuition structure that is alien to their needs.

When we talk about paying a fair share of university tuition, we must ask why we are burdening others with taxes to pay for post-secondary education these people may never pursue. Why would a high school graduate who works in my riding's industrial or agricultural sector be footing the bill through taxes to the extent they do for other young people to attend university?

My son recently finished four years of university without any grant or loan. He worked every summer and also relied on family. While not all students can rely on family to help with the cost of education, it amazes me, coming from the riding I represent, that people say there's no work for university students during the summer. Every year farmers in my riding of Norfolk cannot get reliable workers for planting and harvest. Many students living in urban Ontario do travel to rural areas to work or go up north to plant trees, for example. This is what is necessary, in my mind, if you want a post-secondary education today.

I also have children in grades 3 and 4. They may or may not go to university, but my wife saves now in case we need the money for this. What concerns us, as with many people in my riding, is the danger posed by not getting our fiscal house in order. Today, given our close to \$100-billion debt, if action is not taken, children of those of my age, my children's age and even the unborn will suffer the consequences of our generation's spend-thrift ways.

**Mr John Gerretsen (Kingston and The Islands):** I'm pleased to join the debate today on this extremely important issue. This is one of extreme importance to my community, as we have three institutions of higher learning in my riding: of course, the well-known Queen's University, which rated either first or second in almost every category in the Maclean's survey just recently; St Lawrence College; and also the Royal Military College, which is a federal institution and not part of this debate today.

While the opposition day motion speaks specifically to tuition fees, I would like to make a few general points

about the importance of universities and colleges in our province. They are more important than ever, for they play a crucial role in the modern economy. Universities provide students with opportunities to learn new knowledge and skills and with credentials to further their careers.

As a society, it has long been our goal to produce an ever more educated population. We know that university and college graduates are half as likely to be unemployed as are members of the general labour force, and also that university and college graduates earn more than double the money of people who have not attended university and college.

We know too that the jobs of the future, the jobs that we want to attract and keep in Ontario, require more education, not less. Jobs that used to be skill-based in the manufacturing sector, skill based on experience, are now knowledge-based, based on education. Business, government and industry not only receive the benefits that come from a highly educated citizenry, they receive tremendous benefits from the research conducted by our universities and colleges as well.

In the global economy infomedia revolution, we need more research and development. Sadly, given their significance, universities and colleges are receiving less money for each student enrolled now than they were in the 1970s, in constant dollars, about 12% less than they received in 1977 and 1978.

Using the other nine provinces in Canada as a benchmark, only one other provincial government provides a lower subsidy per student enrolled than Ontario. Even Alberta, which is going through a declining right now, provides 10% more for each student than does the Ontario government. On a per capita basis, university operating grants in the province of Ontario are the lowest in Canada.

Public education is an investment. I think it's interesting to note that over the last two years, support for higher education increased by 7% in Michigan, by 8% in Pennsylvania and by about 14% in Ohio. These states are our neighbours in the NAFTA trade zone. These states are investing in their economic future. Ontario must do exactly the same. If it were not to do so, Ontario's ability to attract investment will be seriously impaired.

**1650**

Whether the cuts are 15%, as set out in the so-called Common Sense Revolution, or 20%, as more recently rumoured, the impact will have serious implications in the regions where universities and colleges are key economic players. The impact of funding cuts will be severe and will not only have an impact on the universities and colleges themselves and their students, but also on the contribution to both the local and provincial economies.

These cuts will be felt by businesses and individuals. Universities in Ontario contribute over \$4 billion to the economy each year. For every dollar in government funding that universities and colleges receive, they return \$4 to the economy. Therefore, a 20% cut in the total grants would represent a loss of \$376 million from the



operating budgets, and that would translate into a loss of salary and benefit expenditures of more than \$300 million.

The spinoff effect for business would be an estimated \$1 billion per year of loss in sales, the equivalent, as the member for Downsview has already stated, of over 15,000 jobs.

These employment reductions translate into over \$750 million in lost family income. Obviously, there would be a ripple effect in the private sector in lost sales and employment.

Total tax losses are estimated to be over \$317 million to all three levels of government. In eastern Ontario alone, the economic impact from the expenditure reductions represents losses of \$232 million. Let me share with you a headline in the Kingston Whig-Standard yesterday that says, "College Cuts May Close Campuses." In this particular case, they're talking about the St Lawrence College campus in Brockville. It talks about closing the campus, a number of jobs being lost in that area. You can well imagine the tremendous disruption that is providing on that particular campus today, as they await tomorrow's results of the economic statement. The effect it would have on a city like Brockville, which is just down the road from Kingston, as we all know, would be just devastating.

Unfortunately, despite these statistics and despite the value of universities and colleges, it seems that this government is determined to go ahead with these cuts, cuts which will have a significant impact on our communities, our children and our future, cuts that will harm the ability of Ontario to respond to the economic and social challenges ahead.

Let me state just once before I sit down, to make it quite clear to the government, that any tax cut before the deficit is reduced to zero is paid for by borrowed money. There is no other way to look at it.

We in the Liberal Party call on the government not to allow tuition fees to increase without establishing an income-contingent loan repayment plan. Everyone who is capable of attending a university or college should be allowed to do so, and any economic impediment that stands in that person's way should be dealt with in a reasonable loan repayment program.

**Mr David Christopherson (Hamilton Centre):** I appreciate the opportunity to join in this discussion. I won't be speaking for long; I have other colleagues who want to join. But I have a few thoughts I would like to add to the debate today.

First of all, it's always fascinating and interesting to listen to the Liberals pontificate on how much they care about the average person and explain, while they're in opposition or on the campaign trail, that their interests and those of the average working person are indeed one and the same. Yet we know from experience here in Ontario, and most recently we see the experience with the federal government—the federal Liberals have at this point in their mandate been far more right-wing in their fiscal policies than even Brian Mulroney.

The fact is that much of the pressure on our post-secondary education system is the result of very arbitrary,

sweeping changes to the funding relationship between the federal government and provincial governments. I grant you, that has to be dealt with by whomever finds themselves in power here in Ontario. But the singlemindedness with which the federal Liberals have approached their need to hit the fiscal bottom line over and above everything else—they're prepared to jeopardize not just the post-secondary education system here in Ontario, but they're also prepared to jeopardize our health care system, they're prepared to jeopardize our transportation system, and in a country as vast as this that's one of the most crucial infrastructure and economic levers we have.

I point this out, and I will turn my attention to where it rightfully belongs, on the government, but I am not going to let the Liberals off that easily. That is not fair either, because it is very frustrating as a New Democrat to listen to the Liberals constantly speak as if they and working people were one and the same in this province. The reality is that when they govern and they get into power—just take a look at the red book. Let's not forget the red book and let's take a look at what Chrétien and the federal Liberals are doing. In my opinion, at that point they are exposed for being a poor reflection of the Tories.

**Hon Mr Villeneuve:** John, and you thought they were your friends.

*Interjection.*

**Mr Christopherson:** You're going to have to decide for yourself, my friend from the Tory back benches, whether you or the Liberals have been insulted more by that particular piece of rhetoric on my part.

However, in addressing the issue as it relates to this government, the Mike Harris Tories, let's bear in mind that this government has no vision on any of the critical issues that affect us in this society, save and except the bottom line, and even on that one their position does not hold. They've heard it time and time again today and they need to hear it further. The fact is that the length and the depth and the severity of the cuts that this government is making—

**Hon Mr Villeneuve:** Is to save this province, thanks to you.

**Mr Christopherson:** —is so they can pay for the tax cut.

One of the honourable cabinet ministers, the Minister of Agriculture, Food and Rural Affairs, is saying thank you.

**Hon Mr Villeneuve:** Thanks to you.

**Mr Christopherson:** Well, we'll read that Hansard back. You read that Hansard back in a couple of years when the results of what you've done have been seen, the devastation that will exist in our society as a result of what you've done in the indiscriminate cutting, and then I doubt you'll be so quick to take credit for those things you're so very, very proud of today. We'll just wait and see.

I spent two weeks talking to hundreds of workers and activists in our communities across Ontario. I can assure you that the issue of post-secondary education and its

funding and its future is very much linked with all the other concerns people have in this province.

There was a young woman when we were in Kingston who came before my committee and spoke of the real fear and uncertainty that young people now have as they look into the future. They wonder what it holds, because we know this government has killed hope for so many people.

It goes right by them, as to the number of people and the depth of the fear and concern they have. It's real, it's legitimate, and if they went out and talked to people besides just their pals, broadened their discussions a little, they would find that there are growing numbers of Ontarians who are worried about the future. They are worried about the future for their parents, they're worried about the future for themselves, and I would think, as a parent myself, they're worried most of all about the future of their children.

1700

For those who see their position in society slowly dropping as this government dismantles the very programs and initiatives that make this a great place to live, people wonder and worry: "How will my children climb out? We don't have huge inheritances. We don't have six-digit incomes. What I am faced with, as an average Ontarian, looking around, are closures, massive layoffs in the private sector and in the public sector. I see jobs being created, if there are any, at the low end of the wage scale."

When we talk about education and listen to what this government talks about—and we'll know more tomorrow—then they also worry: "What is the ability of my children to build a better life for themselves than I had? Where is the hope for that?"

**Hon Mr Villeneuve:** To pay off the debt.

**Mr Christopherson:** The Minister of Agriculture and minister for francophone affairs says, "Pay off the debt." I ask anybody listening today, do you honestly believe that if the Tories had any discretionary money, this is where they would invest it? Do you believe they would invest it in child care? Do you believe they would invest it in post-secondary education for the children of working families?

You're going to nod your head up and down. I'm trying to talk beyond you to the people who are at home. Ask yourself, do you believe that's what they'd do, or would they continue to give huge tax breaks to their wealthy friends, which they're prepared to do now when we don't have the money? They're going to borrow \$5 billion, not to take care of child care—in fact they're cutting that—not to support post-secondary education, which they're also going to cut; they're borrowing \$5 billion so they can give that money to their very wealthy friends.

That's what they're doing now: Do you honestly believe, if they had a choice, that suddenly they would become the friends of working people, the champions of the poor? Do you believe this government would be the champions of the poor who are trying to send their kids to a school that will allow them to have a future? Do you

really believe a government that's doing this is going to set that as their priority? I think not.

Unfortunately, in communities like mine, where McMaster University is an important part of our future and Mohawk College is a major player in our economy, the truth and the reality will not be seen until after they've done their damage. At that point, none of us really knows what it's going to take to try to put—

*Interjections.*

**The Acting Speaker (Mr Gilles E. Morin):** Order. There should be only one speaker on the floor, only one. The member for Hamilton Centre, you have the floor.

**Mr Christopherson:** Thank you, Mr Speaker. I would just wrap up by saying to you that unfortunately, I think that picture will only be clear after a tremendous amount of damage has been done, and for those of us looking beyond the term of this particular government, we ask ourselves, how much of what we now have can we get back and how much can we save? There's no doubt that they're out to destroy those things in the interests of a very small percentage of this population, and that is a travesty.

**Mr Tim Hudak (Niagara South):** I rise in the House today to address the opposition day motion concerning the financing of education. I believe this must be a resolution very carefully prepared, as the member for Downsview wades into the post-secondary debate. I think it took some time for the Education critic to painstakingly put this carefully conceived motion together. I say this because I'm struck that after almost 40 days in government, after 40 sets of question period, until today the Education critic had not yet asked one question about post-secondary education. Maybe that's not fair. Maybe I shouldn't criticize the member for Downsview, who strikes me as a very talented, well-informed member. Instead, I think I should criticize the opposition.

It is my understanding that while the previous government raised tuition fees by 42% and cancelled the Ontario student assistance program—

**Mr James J. Bradley (St Catharines):** On a point of privilege, Mr Speaker: I know the member for Niagara South would not want to provide misinformation to the House, and he would be if he were to suggest that the Liberal Education spokesperson had asked only one question. That would be misinformation.

**Mr Hudak:** Again, it's the opposition that I wish to talk to this about. It's my understanding that while the previous government raised tuition fees by 42% and cancelled the OSAP grant program, the Liberal Party failed to produce a single policy document on post-secondary education. Five years without a solution, five years the Liberals sat silent while the NDP squeezed post-secondary students in Ontario. But perhaps silence is understandable.

I think we should look back to the late 1980s for some answers. I entered the University of Western Ontario in 1986-87. As a freshman member of Saugeen Maitland Hall, I faced tuition fees then of roughly \$1,200 while I set about the first of four years towards an economics degree. In my senior year, tuition fees had risen to about



\$1,600. During my undergraduate studies, I, as well as my graduating class, saw tuition rates rise by 35% under a Liberal government.

Ironically, while Mrs McLeod, the current Leader of the Opposition, sat in the chair of the Minister of Colleges and Universities, she personally oversaw a 12.4% jump in tuition fees. I remember that government, I remember the Peterson years and I remember the tuition hikes, and I also remember that, among many other reasons, at the age of 22, I made a firm commitment to support Mike Harris and the Conservative Party.

Perhaps the five years of silence from the Liberal policymakers during the NDP tuition hikes reflects the fact that the previous Liberal government had little credibility on the tuition issue. Granted, the member for Downsview was not a member of that government. I cannot fairly guess her opinion on the Peterson-McLeod tuition hikes; fair enough. Her thoughts today are contained in this motion before us and they are very well put. She correctly condemns the previous government for its 42% tuition hikes.

**Mr Bradley:** How much?

**Mr Hudak:** Forty-two per cent tuition hikes, and scuttling of OSAP grants. The member's motion is accurate in describing the substantial increase in the costs imposed on hardworking and ambitious students who sought to improve their economic situation.

However, this motion omits a very important consideration in a student's decision to undertake post-secondary education. That consideration is the value and dignity of a job upon graduation. Many students unfortunately may have dropped out of school after the Liberal-NDP tuition increases; however, I know many who reluctantly took on that extra burden because they assumed the extra investment would be worth the sacrifice once they had entered the job market with a diploma in hand. Tragically, this is not the case.

It was the pursuit of a job, a good job, that pushed those students to complete their degrees. A job is their number one priority, and long-term job creation is a priority of this government as well. Therefore, when the member opposite rightly condemns the NDP's tuition hike, what she neglects to mention is that a large contingent of students, possibly the largest contingent in the history of this province, came out of school without jobs.

Essentially, the previous government failed at both ends: Students saw their costs rise substantially during school and were greeted by the most barren landscape for job growth when they returned to their home towns.

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I believe that students make the following rational decision when they choose to invest in post-secondary education. The student weighs the cost of entering school against the expected benefits a degree will confer. Costs would include not only tuition, but books, materials and living expenses as well. Also costs should include wages given up by sacrificing work opportunities to attend school. Obviously, this can be a very substantial investment.

All the same, every year, hundreds of thousands of Ontario residents choose to attend college or university.

They feel the benefits outweigh the costs of education. They believe that a university or college degree will better prepare them for the job market and significantly enhance their earning potential. Statistics have borne this out.

As I have said, every year hundreds of thousands of students weigh the costs and benefits of post-secondary education and choose to make that substantial investment, eager to graduate with high expectations of finding work, high expectations that government will follow through on their promises.

But think of those students of the early 1990s. Who among them expected that their previous government would raise taxes 32 times? Who among them expected the NDP to run nearly four consecutive \$10-billion deficits? Who among them expected a flight of opportunity caused by Bill 40, Bill 79 and other job-killing legislation?

This group of students graduated to discover that unemployment had jumped from 6% to 9.3% and that 80,000 fewer jobs existed in this province. Not only did this group of students face a 42% tuition hike during school, they faced the worst job market since the Depression when they did graduate. The previous government failed them at both ends of their decision.

I think of the group of students in school today. Last night, as I prepared this text, I spoke with my friends Courtney Leyland, a Ridgeway resident and University of Toronto student, and Elizabeth Berger, a resident of Fort Erie and Guelph economics student. They continue to invest in their education because they have faith that a better job awaits them upon graduation. They have faith that the plans of this government to lower taxes, not raise them, to eliminate barriers to job creation, and to balance the budget—they have faith that this government will restore hope and opportunity and prosperity to Ontario once again and faith that their investment will pay off. This new government will not let them down.

I remember as well some of the students who graduated in that contingent in the early 1990s, students who played by the rules. They attended school, graduated, worked hard in the summer to raise enough money to finance their education, but when they graduated in the early 1990s, when they returned to the Niagara Peninsula, they found a barren job market. They worked hard and sometimes they took jobs like working in a grocery store, but not the kind of jobs they expected when they graduated.

There were three very close friends of mine who, like I said, played by the rules—worked hard, saved for school, graduated—and returned to the Niagara Peninsula to find no jobs for them. I'm happy to say that in 1995, today, they're doing well. But my problem is that my friends now—Donna is doing well in British Columbia, Chris is in Japan, and Bob just bought a new condominium with his job, but Bob bought this condominium in Colorado.

**Mr Bradley:** Bob who?

**Mr Hudak:** A large group of my friends had to leave Ontario, had to chase the jobs out of Ontario to the west coast—

**Mr Bradley:** They are not patriotic.

**The Acting Speaker (Ms Marilyn Churley):** The member for St Catharines.

**Mr Hudak:** —overseas or the United States. I miss my friends and I want to make these changes to bring jobs back to the peninsula and bring my friends back as well.

The tax cut: The opposition enjoys disparaging the tax cut we will deliver to all individuals and families in Ontario. They don't like this economic tool that will be the single greatest job creation program in the history of this province by reinvesting in people, allowing taxpayers to spend more of their own hard-earned money, through consumption and investment, more money in Rossman's in Port Colborne, more money in Canadian Tire in Fort Erie. The economy will grow and we will restore a healthy economic environment for job creation once again.

The opposition discourages the tax cut because they have no job creation program. The NDP is faced with a record of 80,000 fewer jobs, \$100 billion in debt and a 9.3% unemployment rate. The Liberals' red book called for 12,000 layoffs for civil servants with absolutely no plan to create jobs in the private sector.

I would say to them that without a growth plan, without a significant tax cut, you will condemn future graduates like Courtney and Elizabeth to the fate of trying to survive in a barren job market or chase them to British Columbia or the States again, to the point where their families will only know them across long-distance telephone lines.

This motion correctly speaks to one half of a student's decision, the cost, but completely neglects to consider the importance of job creation. This is a vital consideration and a tragic omission in the motion. Only we, the Conservative government, have the plan to restore hope, opportunity and job creation in Ontario, jobs for Courtney and Liz and your own daughters and sons once again.

**The Acting Speaker:** Further debate, the member for St Catharines. You now get your chance.

**Mr Bradley:** I appreciate the opportunity to offer just a few remarks this afternoon, because I want to share the time with some of my colleagues.

I want to compliment first of all the Minister of Agriculture, Food and Rural Affairs for assuring members of the House on a question from M. Lalonde from Prescott-Russell that the Alfred agricultural college would be preserved as it is and continue to provide graduates for Ontario, and I'm very pleased to hear that.

I do want to address, however, the other problem that has been highlighted by the excellent resolution put forward by the member for Downsview. I want to say that I don't totally condemn the government for everything it does. I understand the difficulty they face.

Indeed, I am sure the NDP did not want to raise tuition fees by 42% after it had promised to abolish them. The NDP didn't want to do that, and I want everybody in this province to know that, but they had to do it. I know they appreciate the difficult times. I appreciate the difficult times we're in. I was critical of it because of the magni-

tude of the increase, but I understood that there had to be some increases.

I listened with interest to the former Premier at the provincial council. They showed him fighting the cuts on the weekend, and I'm glad that he now sees that those cuts were damaging to the province. The NDP and the Liberals both understand now the difficulties faced by the government.

I want to say first of all that my great concern—and it's been said, but it has to be repeated—is that the government is not moving simply to address the problem of the deficit but of course is concerned that it must deliver a 30% provincial income tax break—

**Mr Gilles Pouliot (Lake Nipigon):** For the rich.

**Mr Bradley:** Well, it would go to all the people of Ontario. It would benefit the rich and the privileged most of all people in the province.

If you were simply addressing, over there, the deficit, I think people would understand that. I am talking to more and more people who voted Conservative last time, who generally like some of the things that you are doing, who cannot for the life of them figure out why you would be borrowing money to give a tax break, accumulating further debt to give a tax break. They understand addressing the deficit, they really do understand that, and they're probably supportive of many of the things you're doing. They simply believe you're moving too quickly, too drastically and that you shouldn't be borrowing money to give a tax break.

These are small-c conservatives; some of them are even big-c Conservatives. But I want to put that behind. What it really means then is that you're going to sock it to students in the province. One of the circumstances we want to have in this province is a situation where, if a person is qualified to do so and willing to work, that person has an opportunity at post-secondary education.

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What I fear is that you're going to deregulate. I know some people in the universities might well applaud this, because they're caught between a rock and a hard place. I know this will present some difficulty. All I ask is that you ensure that not just the rich and the privileged will be able to afford a post-secondary education in Ontario.

The last thing I want to mention is that Brock University, under the present funding formula, does not get the appropriate amount of money it should, its fair share. I want the Minister of Colleges and Universities to address that as well.

**Mr Tony Martin (Sault Ste Marie):** I feel honoured to stand and speak this afternoon on this important issue. I want at the outset to say that I agree with both the spirit and the intent of this resolution. When you think of what the Conservative government has done so far to the people of this province, particularly those who are weakest and most vulnerable, and we anticipate what they're proposing to do by way of the announcement that will come this week on Wednesday and what they've said they will do by way of the Common Sense Revolution and other documents they've shared with the rest of the province over the last couple of months, it has to give all of us great concern.



However, I find it passing strange that it is the Liberals who are moving this motion forward. During the election, as I experienced it in my riding, it was really a high-stakes poker game going on all the time between the Liberals and the Conservatives, each one upping the ante and being more draconian than the other, making statements about the tax cuts they would make, about the cuts in the number of people who would work in Ontario and the amount of money spent on the services we all depend on and rely on for our daily existence and our good health and education and all those kinds of things.

To have the Liberals today bringing this motion forward, given their track record during the election and what they proposed in their red book, in partnership with what their federal brothers and sisters are doing, leaves one somewhat amazed.

**Mr Gerretsen:** We call them "cousins."

**Mr Martin:** Cousins—whatever.

In addition to cutting back on health care, gutting unemployment insurance and discriminating against Ontarians by refusing to fairly share the cost of the Canada assistance plan, the federal government is cutting post-secondary education. Liberals are doing that. The federal contribution to post-secondary education is being significantly reduced. It's important that we all know that. That's one of the reasons we're going to be facing such a tough challenge in our attempt to keep the college and university system, which is in fact doing quite well in Ontario right now, alive and actually improving.

The federal government is cutting \$1.4 billion in 1996-97 and \$2.2 billion in 1997-98. The federal Liberals are abdicating the important role the federal government has played in funding post-secondary education over the past 30 years.

Before I speak directly to the question of students and tuition fees, I want to talk for a few minutes about the college system in Ontario and how it has progressed significantly over the last four to five years.

The university system, even though challenged in many ways and struggling with questions about how to be relevant in today's changing economy and how to provide opportunity to a vast number of students with a range of needs and potentials, is doing quite well in spite of that. They need at this time in their history more encouragement and more resource and more opportunity to enter into partnership with this government as we make decisions about how the changes will happen, not to wake up one morning and find out that they've lost another \$1 billion in their funding or lost another opportunity to enter into a partnership of some sort with some organization to provide programs for students in this province—to have the rug pulled out from under them.

Almost 30 years ago, Ontario's Minister of Education, Bill Davis, created the community college system. Ontario's college system has been a true success. In 1989, the Minister of Colleges and Universities, Lyn McLeod, commissioned the Vision 2000 report to create a renewed mandate for the college system. The changes in the community college system in the five years since that report was completed demonstrate how responsive,

flexible and cost-efficient the community college system really is.

Between 1990 and 1995, as recommended by Vision 2000, the government made many important changes—our government made many important changes. A system of prior learning assessment was introduced to ensure that students receive full credit for their academic and non-academic experiences. We created the College Standards and Accreditation Council so that system-wide standards and outcomes could be guaranteed. A voluntary consortium on advanced training has united colleges and universities for the purpose of providing advanced applied technology.

At the same time as these changes were being initiated, there was an explosion in community college enrolment and a reduction in public funds available to the community college system to really make them happen. So we as a government sat down with them. We sat down with our partners, we sat down with students, we sat down with people across this province, anybody who wanted to talk about this challenge we faced.

Yes, we did raise tuition fees, but we raised them in a way that saw us take into account the impact that would have on both the student and the institution they were about to attend, and the community within which that institution was placed.

**Mr Pouliot:** They're about to tear the heart out of that.

**Mr Martin:** They're about to tear the heart out, that's right. They're about to make decisions that will affect all the progress that has been made, in ways that will not just take it back five years but 10 and 50 years, the same thing as they're doing with the Labour Relations Act. They're taking this province on a backward trip to a place where we really cannot afford to go, and even if we went there, we'd find that the picture wasn't as rosy as is being painted by this group across the way.

I want, for the last couple of minutes I have, to talk specifically about the question of student assistance and tuition. The increasing demand for student assistance will be a major challenge for this government. Our hope is that the rush to give tax breaks to the wealthy will not result in cuts in student assistance and will not threaten access to colleges and universities.

The federal government has made some unfortunate changes to student assistance which we hope will not be copied by the province of Ontario. Interest on Canada student loans now begins accumulating the minute the student graduates. Ontario student loans are still interest-free until six months after graduation. Let's give young people a chance to get out and find a job in a very challenging environment.

The federal government has also privatized the student loan system by making exclusive deals with a few banks to provide student loans. This is the Liberals, not the Conservatives; this is the Liberals in Ottawa. The federal government claims to be doing this as a way of improving collection. Ontario student loans are collected by the government of Ontario, not collection agencies, and the default rate is significantly lower—public servants

performing an important public service and doing it in a cost-effective way. It's common sense.

The NDP government did not just eliminate the grant program, as suggested by the Liberal motion. Our government replaced the grant program with a loan forgiveness plan to make sure that limited resources were targeted at students with the highest debt loads, students without family resources to help them through university or college. As long as the program we put in place remains intact, no student will be forced to repay more than \$6,000 for each year they are in school. The Tory government would be well advised to maintain the loan forgiveness plan we put in place.

I've got a lot of other things I'd like to put on the record today, particularly where it concerns the student loan program and what we did as a government versus what the Liberals are doing in Ottawa and what is being proposed by the Liberals here in Ontario. But I won't do that, because I want to leave a little time for my colleague from Timmins to take a run at this as well.

I just want to say, in wrapping up, that we support this motion because we agree that it is immoral to force students to pay the price of Mike Harris's income tax cut to the wealthy of this province.

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**Mr David Ramsay (Timiskaming):** In the couple of minutes I have to stand in my place and speak to this issue, I'd like to take a different perspective. I'd start by talking as a father who considers that job one for me right now is making sure my three children who are in university at this time complete their schooling, because for me that's the best investment I can do in their lives. I'm fortunate enough, though; I can generate the income so that I can help my children through that, and they certainly pull their weight through their summer jobs.

Yet I'm very concerned, with the very fast escalation of tuition fees, that a growing majority of families in Ontario are going to start to find university unaffordable. If that becomes the case, that would be one of the biggest tragedies this government could ever bring upon the people of this province.

In all our thinking and opportunities and planning and programs as governments over the years of how we're trying to equal opportunity, some of the things we've tried, like a redistribution of income, have actually failed. But one of the great levellers in society, and something we can be very proud of as Canadians and as Ontarians, is the equal opportunity to education that we have in this country. It's through a highly trained and well-educated population that Canada has been able to reach the heights it has in the world economy and to have been rated by the United Nations as the best place to live in the world.

That is something we have to fight for, that we have that equal opportunity for education for all our children, regardless of income, based solely on ability, because the future economy out there around the world, if we would have a place in it as a country, is going to depend upon the training and education of our children.

This is something where we should not be cutting. We have to make sure this is affordable, that all our families

can send our children and, after that, that our children have the opportunity to work in our economy in Ontario. I would certainly stand in my place to support this motion and hope that the government members will do so also.

**Mr Toni Skarica (Wentworth North):** First of all, I might say that I was not surprised when I first read the motion for this debate. As the member for Norfolk has indicated, the member for Downsview has chosen to focus in this debate on university tuition, ignoring the 70% of students who do not go to university.

I have become somewhat familiar with this other 70% in my role as parliamentary assistant to the very able Minister of Education and Training. I've spent the last few months looking at training programs in the province, and one thing I have noticed is that there needs to be a reform in the secondary school area. It basically needs to be reformed to allow those students who don't want to go to university, don't want to go to college, but who want to enter the workforce, to do so in a way that they can do so and still make a good income.

The first step in some of the reforms that our government is taking is that we're going to reduce the number of secondary school years from five to four years. This is a commitment made in the Common Sense Revolution. Every source, including the Royal Commission on Education, which I concede the third party initiated—

**Mr Ramsay:** What does that have to do with tuition fees?

**Mr Skarica:** It'll come. Every source indicates that the school years should be reduced from five to four years. We're the only province in Canada that has five years of secondary school education, and now we will have four like every place in Canada and like every jurisdiction in North America.

New graduation requirements will encompass clear statements about what grade 12 graduates must know when they graduate, regardless of whether they are headed into the workforce, to college or university or further training.

Another crucial initiative—and this is one particularly important to me, based on my own experience in Ontario's education system—is in the area of guidance in career education. I remember one of the members of the third party indicated they were from a working-class family. So was I, and it entered into my mind at one point that I wanted to become a lawyer, for reasons that escape me now.

I remember I went to the guidance counsellor and I said: "You know, I'm thinking about becoming a lawyer. What do I do?" He told me, "You've got to go to university and law school." It sounded like a good plan. I went to university, and then I started hearing words like "articling" and "bar admission." I had never heard those words before—

**Mr Chris Stockwell (Etobicoke West):** Oh, David will tell you about bar admissions.

**Mr Pouliot:** And crown attorneys.

**Mr Skarica:** For people who are watching on television, it's hard to speak when you're new at this game,



because you're constantly interrupted. It's hard to stick to what you have to say.

Another initiative that our government intends to get involved in is cooperative and work experience. Many students in high school have a plan to do a certain type of job but have no way of getting involved in it and getting the experience. We intend to expand cooperative and work experiences in the high school setting. Today some 60,000 students in Ontario are enrolled in co-op programs. This number will rise when the ministry extends co-op opportunities through 25 new projects in various school boards across Ontario during the next school year.

Another new program that is an indication of the government's commitment to all high school graduates is the Bridges program. It reflects our belief that students who intend to go to work directly after graduation need training programs to ensure that their transition is a smooth one. Similar to the Ontario youth apprenticeship program, it goes one step further in that it will create pathways to a wider range of occupations and industries not included by current programs.

Now that I have a few minutes left, I'd like to direct my mind and my comments to the income tax cut. I've heard time and again over the last few months that the purpose of the income tax cut is to provide money to the wealthy. In fact that is a totally irrelevant consideration, and that is not why the income tax cut is being proposed. Quite simply, the income tax cut is necessary to make Ontario economically competitive in the global economy.

I had direct experience of this when I went to Stelco recently in the Hamilton-Wentworth area. I viewed the factory, and what I saw shocked me, in that I didn't see people covered in grime or anything like that. I saw workers in consoles that looked like airplane cockpits that were full of computers. The computer age has totally arrived in our factories. The effect of the microchip revolution is evident in Stelco: 7,000 people work there now instead of the 15,000 that worked there years ago.

I saw billions and billions of dollars of high-tech equipment. In one new area that I went to, I was in one area of the factory and I looked down and you couldn't even see the other end of the factory, but it was full of approximately \$2 billion of high-tech equipment. When I asked the people there, "Why did you do that? Why have you spent all these billions?" they told me: "We have no choice. We have to do it to stay competitive with the Japanese."

I have a brochure here from a Japanese steel factory, and I'd encourage all the members here to look at it. When you open up the brochure, if you take a look at the Japanese factory, there's no pollution there at all. You can see the entire factory.

**Mr Pouliot:** The place has been shut down for a few years.

**Mr Skarica:** No, there are 8,000 people that work here as well.

**The Acting Speaker:** Could the member take his seat, please. Just for a moment, take your seat. Stop the clock for a moment. The member take his seat. There are far

too many conversations going on in the House. I cannot hear the member speak, so would people please try to keep it down. Thank you.

1740

**Mr Skarica:** If you could take a look at this brochure, and I encourage anyone to do it, there are 7,000 people working in this Japanese factory, the same as Stelco. They produce 30,000 tons of steel; Stelco produces 8,000 tons of steel. They're four times more efficient. The only reason I'm pointing this out is that this company has spent billions and billions of dollars on high-tech equipment. If you take a look at the brochure, you can see a man inside one of the consoles. It looks like Star Wars. He's wearing slippers and white socks. The floor there is cleaner than the floor in the washroom in this building.

When you talk to these people at Stelco, they tell you that they have to invest billions of dollars in order to compete with those people, and they're doing it here because they already have a substantial investment. But what about companies that don't? What about people that you try to attract from outside the jurisdiction? Why would they come to Ontario when our tax rates here are among the highest in the country and also the highest in North America?

Linda Leatherdale in her article in the Toronto Sun on October 19, 1995, reports that the taxes in the United States are 30% less, on average, than in Canada. So if you were in a business and you wanted to invest money, why would you invest here when you can invest it elsewhere, in the US for example, and make 30% more?

There's a study done in the United States which examined what happened in the top 10 tax-increasing states in the 1990s and compared it to what happened in the top 10 tax-cutting states. In the top 10 tax-increasing states, from 1990 to 1993—and this is not Linda Leatherdale; this is research, and this is during the time when the NDP indicated that we were going through a recession, which we were, and they had to increase taxes in order to pay for all their programs—the top 10 tax-increasing states in the US during that period created 3,000 jobs. The average family lost US\$500. However, the top 10 tax-cutting states at the same time period, and they include sparsely populated states, produced during that time period 653,000 jobs and the average family made US\$300 more.

In Canadian terms then, if you were in one of those tax-cutting states, you would have been \$1,000 better off, and in those states they created substantial employment, while in Ontario what we did is we increased taxes, and just like the tax-increasing states in the United States, very predictably, we lost jobs and we lost income.

The honourable member for Downsview indicated that she looked at StatsCan and indicated that students shouldn't pay more tuition fees and that type of thing. However, there are other statistics that nobody in this House has quoted, and I'd like to do so at this time.

In an article dated November 3, 1995, entitled "Biggest Welfare Drop Ever," it indicates that in the last few months welfare rates have dropped every month. In the last month there was a record drop, the biggest welfare

drop ever, of 36,000 people. At the same time StatsCan reported—and that was the biggest welfare drop ever—and this is significant, in the last two months 27,000 positions have been created in Ontario. That's in the last two months, and that's Statistics Canada; that's not Linda Leatherdale or anyone else.

Now, 27,000 times six is 160,000 jobs times five is 800,000 jobs, so in fact we're doing better than our campaign promise of 725,000 jobs.

**Interjection:** Is the math right?

**Mr Skarica:** The math is right, and you can tell I've gone to university because I'm able to multiply. Thank you very much.

**The Acting Speaker:** Further debate?

**Mrs Sandra Pupatello (Windsor-Sandwich):** It's my pleasure to speak today to the motion—

*Interjections.*

**The Acting Speaker:** Could I have order, please.

**Mrs Pupatello:** Thank you, Madam Speaker. It's my pleasure to speak today in support of the opposition motion put forward by the member for Downsview. I wanted to tell you something about the university community that is in the Windsor community. The University of Windsor has been around since the 1960s and is a significant part of our greater community. We have 10,000 to 13,000 full- and part-time students, almost 1,400 full-time staff people, which generates \$75 million in payroll and benefits, \$75 million which is then compounded throughout the community.

When we speak about this government's actions that will in effect increase tuition fees for the people who wish to attend post-secondary education through the University of Windsor, it will have a very negative impact on our community as a whole.

Student rolls obviously will decline, because while the government campaigned on putting certain things in place before they would touch tuition or force tuition increases, those things in fact have not happened, and I have to tell the people who come from Windsor that this is a recurring theme of this government. What they promised to do was that tuition would be 25% of operating expenditure. It'll be more than that now.

What they promised to do was that they would expand aid programs for students. They have not introduced any of those things. But the tuitions will indeed rise. What they've also not done is establish an income-contingent loan repayment plan, and you'll recall all of the press they received on those wonderful ideas. I ask the government today, where are these things that were promised? In fact tuitions will go up and none of these things that the government promised will happen.

I'd like to speak in a particular way. Dr Ron Ianni, the president of the University of Windsor, said it best. What he said was, "We are eating our seed corn," and for those members opposite, I would submit to you to consider that carefully, that when you eat your seed corn you have very little left for your future.

We need to compare also the kind of investment that other provinces in Canada make to their university communities. Even if we look next door to the province

of Quebec, the level of investment that they pour into their universities is significantly higher as a percentage than we do in Ontario. Not only that, but the dollars that they invest in research, which is obviously linked to economic development, are significantly higher as a percentage than what we do here in Ontario. They seem to have recognized the link.

For the University of Windsor, what does that mean? The Great Lakes Institute, a research centre in Windsor, is obviously tied to our university, but what this government did through the Minister of Economic Development, Trade and Tourism was cut \$3 million which would have funded the expansion of the Great Lakes Institute, which was mostly required because they already had secured contracts to do further research which was linked to the greening industry in our area, the whole Great Lakes area. The greening industry is one which is on the up and up and we wanted to capture that market, but our Minister of Economic Development, Trade and Tourism didn't see that that made any sense at all and they cut that.

All of the sense that I see is something that we just have got to get away from, and I can only encourage the members opposite to reconsider the kinds of cuts that they're bringing in where it significantly impacts on our youth. We're already looking at the highest youth unemployment rate that Ontario has ever seen. It stands currently at 30%. We speak to our youth and we realize that they feel they have no hope and no future. We've got to make moves to correct that.

Our Minister of Education and Training announced changes in the last couple of weeks and what he did was he said he's basing his changes on the fact that only 30% of students go on to post-secondary school anyway. I would submit to the members opposite that what we should be striving for is to move that 30% higher, not base the changes in the Ministry of Education and Training on the fact that only 30% now go to post-secondary education.

If we were to compare to European countries where far significantly more than 30% go on to post-secondary education, clearly they found out what we have yet to learn. What we realize in Windsor and area is that our competitors aren't next door in the provinces necessarily, they're in Europe, and the workforces we're competing against are European markets. If our workforce is not built to respond to that, then we'll never go any further. I would submit that the members opposite are encouraging that kind of workforce for the future, and that is not what I had in mind for the future of Ontario.

I'd like to allow time for our member for Downsview to wrap up for us on a most significant motion that's being brought forward today, that will significantly affect the students of Windsor.

1750

**Mr Gilles Bisson (Cochrane South):** I'd like to take the three minutes left in this debate to speak on the motion brought forward from the Liberal caucus, particularly "ensuring that no student is denied access to a post-secondary institution as a result of their ability to pay." In other words, the Liberals are saying they don't want the Tories to increase tuition fees.



There's an old axiom in the retail sector: "Buyer beware." If most people had taken the time to read the Common Sense Revolution—in fact, it's probably into about seven different printings—there is a very clear indication of what the government did intend to do back at the time of the election.

I just want to read for the people watching. It said that in 1992, tuition fees represented only 19% of the cost of university education, down from 35% in the 1950s. "We propose to partially deregulate tuition over a two-year period, enabling schools to charge appropriately for their services." To me, that sounds like when the Conservatives were putting together their election platform they said, "We believe we should have a system of education based on your ability to pay." That's clearly what it said. They want to move a school system where if you have the bucks, you can go. The more money you've got, the better school system you'll be able to get; the less money you've got, the less ability you've got to go.

If we're worried about where the Tories are going and our argument is that we don't want them breaking an election promise, I would say please break your election promise. This is one time that I will not demand the resignation of the Premier if you break your election promise and keep a publicly funded school system in the province of Ontario that's not for profit, that's supported by the taxpayers of the province with good policy, making sure that in the end we have a system that reflects what is needed by the people.

There's something where they are breaking their promise, but on this one I think the Premier will have to resign fairly quickly. I remember watching him sign his oath of allegiance to the Common Sense Revolution, the bible of the Conservative Party, when he sat there and said, "If I break these promises, I will resign."

I just want to read one promise: "Classroom funding for education will be guaranteed." That's what it says in the bible, the Common Sense Revolution. It's right here. It says, "Classroom funding for education will be guaranteed." Does that mean that when, finally, the Minister of Finance comes before this House tomorrow and announces the transfer cuts we're going to see to school boards across the province and to post-secondary education, and when we've listened to the answers of the Minister of Education that, "We're not going to support the college and university system as is," that they'll be breaking their election promise? It sounds to me like they're breaking an election promise.

Resign is a very simple term. I say break your promise; don't increase tuition fees. We'll keep you accountable, but please, this is a heck of a thing. You're going to take away money from education. Shame on you.

**Ms Castrilli:** As I rise to conclude, I'd like to touch on something that was said earlier by the former Minister of Education, from Windsor-Riverside, and the Minister of Education. I was rather surprised at their comments that they felt my views in private life were in any way inconsistent with my views now or indeed with this resolution. In fact, if they had bothered to read the resolution carefully, they would have found that nothing could be further from the truth.

We have asked the government to focus on demonstrating that students are not paying their fair share. Frankly, the government has presented nothing to that effect. We have asked that no student should be denied access because of inability to pay. I would ask the members to consult the records of various universities across the province, all of them. None of them would disagree with that statement.

We've asked the government to significantly expand existing student aid programs and establish an income-contingent loan repayment plan. Again no inconsistency.

We've asked the government to consult with stakeholders. Again no inconsistency.

It's really too bad that the former Minister of Education didn't read very carefully what we've put before this House, and it's too bad that the current Minister of Education relied on the incorrect interpretation of the former minister. That, I submit, is part of the problem affecting the Ministry of Education now, this continuation of error.

Let me, however, suggest to the House that we should not engage in personal attacks and obfuscate the real issue before us. The real issue is that this government views post-secondary education as a drain on the public purse instead of an opportunity, indeed a tool, to get the economy back on track, to have that kind of skilled workforce that will make us competitive in this century and in the next century.

Let's not have any more of these silly personal attacks and not deal with the real issue. The challenge for this government, as it was for the last government, was to deal with universities and colleges in a responsible way that guaranteed quality of education, that guaranteed accessibility. Those are still the challenges before us. I urge the minister to look at those things very carefully and to rise to the challenge before us and give the students and the people of Ontario the hope they deserve.

**Mr Dwight Duncan (Windsor-Walkerville):** It's a great honour to speak in favour of this motion. St Clair College, a great community college, is in the heart of my riding, a great community college under attack by that government. The students of this province—shame on all of you—are under attack by that government. You're undermining the fundamental principles of access to post-secondary education. You all ought to resign, not just the Premier.

Our post-secondary institutions are absolutely vital to the economic health and prosperity of this great province, and each and every one of us in this House has an obligation, a fundamental obligation, to defend the interests of our post-secondary institutions and our students.

The member for Downsview is to be applauded for bringing forward such a powerful resolution. If any of you have any courage, you'll vote in favour of it and renounce your own pledges.

**The Speaker:** Ms Castrilli has moved opposition day number 4.

All those in favour of the motion will please say "aye."

All those opposed to the motion will say "nay."

In my opinion, the nays have it.

Call in the members. There'll be a five-minute bell.

*The division bells rang from 1758 to 1803.*

**The Speaker (Hon Allan K. McLean):** All those in favour of Mrs Castrilli's motion will please rise one at a time.

#### Ayes

Agostino, Dominic	Cooke, David S.	Martin, Tony
Bartolucci, Rick	Cordiano, Joseph	McLeod, Lyn
Bisson, Gilles	Crozier, Bruce	McLash, Frank
Boyd, Marion	Curling, Alvin	Morin, Gilles E.
Bradley, James J.	Duncan, Dwight	Patten, Richard
Brown, Michael A.	Gerretsen, John	Phillips, Gerry
Caplan, Elinor	Grandmaitre, Bernard	Pouliot, Gilles
Castrilli, Annamarie	Gravelle, Michael	Pupatello, Sandra
Christopherson, David	Hoy, Pat	Ramsay, David
Churley, Marilyn	Lalonde, Jean-Marc	Sergio, Mario
Cleary, John C.	Lankin, Frances	Silipo, Tony
Colle, Mike	Marchese, Rosario	Wood, Len
Conway, Sean G.	Martel, Shelley	

**The Speaker:** All those opposed will please rise one at a time.

#### Nays

Arnott, Ted	Hudak, Tim	Ross, Lillian
Baird, John R.	Johns, Helen	Runciman, Bob
Barrett, Toby	Johnson, Bert	Shea, Derwyn
Bassett, Isabel	Johnson, David	Sheehan, Frank
Beaubien, Marcel	Johnson, Ron	Skarica, Toni
Boushy, Dave	Jordan, Leo	Smith, Bruce
Brown, Jim	Kells, Morley	Snobelen, John
Carroll, Jack	Klees, Frank	Spina, Joseph
Chudleigh, Ted	Leadston, Gary L.	Sterling, Norman W.
Clement, Tony	Marland, Margaret	Stewart, R. Gary
Cunningham, Dianne	Martiniuk, Gerry	Tascona, Joseph N.
Doyle, Ed	Maves, Bart	Tilson, David
Elliott, Brenda	Munro, Julia	Tsubouchi, David H.
Fisher, Barbara	Murdoch, Bill	Turnbull, David
Ford, Douglas B.	Newman, Dan	Vankoughnet, Bill
Fox, Gary	O'Toole, John	Villeneuve, Noble
Gilchrist, Steve	Ouellette, Jerry J.	Wettlaufer, Wayne
Grimmett, Bill	Palladini, Al	Wilson, Jim
Guzzo, Garry J.	Parker, John L.	Young, Terence H.
Hardeman, Ernie	Preston, Peter	
Hodgson, Chris	Rollins, E.J. Douglas	

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 38, the nays, 61.

**The Speaker:** I declare the motion lost.

#### SERVICES FOR THE HEARING-IMPAIRED

**The Speaker (Hon Allan K. McLean):** Pursuant to standing order 34, the motion to adjourn the House is deemed to have been made.

Mr Agostino has filed notice of dissatisfaction with the answer given by the Minister of Community and Social Services on funding cuts to VRS. The member has up to five minutes, followed by five minutes' rebuttal from the minister or his parliamentary assistant.

**Mr Dominic Agostino (Hamilton East):** I'm here because the minister today failed to understand or acknowledge the—

#### Interjections.

**Mr Michael A. Brown (Algoma-Manitoulin):** Could we have order, Mr Speaker? A little order, Mr Speaker?

**The Speaker:** Order, order.

**Mr Agostino:** The minister today failed to acknowledge or respond to the question as it affected the disabled and hearing-impaired in this province.

Disabled people are having their funding and services cut at the expense of a 30% cut. The latest casualty we learned about today is an attack on the hearing-impaired across Ontario, an attack on the hearing-impaired who are seeking jobs, who have job interviews but are denied access to these interviews because of a cut by this government.

Mike Harris and the Tories have cut funding for translators. As a result, those who are hearing-impaired can no longer meet with job counsellors. Mike Harris has cut funding for translators and as a result prohibited those who are hearing-impaired from participating in job interviews and entering the job force.

This is the ongoing all-out assault that this government has launched on the disabled across Ontario. It is an assault that is motivated by the pursuit of a tax cut in total disregard for the consequences. It is truly frightening to examine the examples of broken promises and attacks on the disabled in this province. Four glaring examples come to mind.

**Interjection:** Keep your promises.

**Mr Agostino:** My friend says, "Keep your promises." I certainly hope that you can explain to disabled people across Ontario what I'm going to talk about.

The reduction of vocational rehabilitation services: Staff level at the Metro VRS office has been cut by 50%; eight staff positions eliminated. These are counsellors who help disabled individuals get back to work. Two staff reductions have taken place in Windsor.

These staff cuts include job placement officers who are essential to the VRS program and function in trying to help individuals get back to work. Their actions have a direct result in reducing government expenditures in the social assistance field. We now learn that deaf individuals will not have access to translated job counselling, a truly shameless act by this government.

#### 1810

They have cut disabled people on welfare. Thousands of disabled cases were reduced by 21.6% on October 1 and were not protected from the cuts as promised by this government. This government is keeping \$10 million a month by cutting the benefits of seniors and disabled. The minister has pledged to move individuals into FBA. No additional resources have been allocated to protect and move these individuals from welfare to family benefits, as promised.

The government has cut the benefits and has failed to deliver on the new income delivery program that it promised during the campaign in the election document.

It appears that the actions of the ministry are a further attack on the disabled people of this province. They cut funding for Wheel-Trans; then they turn it into a political



football and blame Metro for reducing the service. This government must start taking the responsibility for the cuts and how they affect the disabled.

They have talked about redefining the disabled community. The minister is moving to define the definition as it applies to his ministry. He has stated that he will change it so that "people who are truly disabled can get benefits." By that assumption, it means there will be a reduction in the number of people who are today eligible for a disability pension across this province, and particularly the permanently unemployable category, as the government moved to cut in that drafting error that we're all well aware of last month.

We have no idea what this new definition will be, but I can tell this House today that this definition is going to mean that there are going to be fewer people eligible to receive disability pensions in Ontario when that change comes about than there are today. Those individuals will be shifted to the welfare rolls of local municipalities and those individuals will receive not a 21% cut, but in effect will result in over a 40% cut because the rate that they are in right now is significantly higher, and you're talking about cutting the benefits of over 40% of disabled people across this province and shifting that burden on to local municipalities.

This government has made a number of errors in dealing with the disabled. These errors have occurred because they have not consulted with the disabled community before the cuts were made. Had they spoken to the disabled community, they would have realized that it takes six months, a year, a year and a half, to move people from welfare to family benefits. Had they spoken to the disabled community, they would have realized that by cutting services for the hearing-impaired, you're denying access to job interviews, you're denying access to vocational counsellors. Isn't this what this government has talked about since it has taken office: a hand up, not a handout; the opportunity to access the job market; the opportunity to get out of the cycle of welfare; that opportunity to break the cycle that they've been stuck in for so long?

Maybe the minister can explain to this House how a hearing-impaired individual who requires a translation service to attend a job interview can break the cycle, can get into the workforce, when your ministry has cut the funding and does not fund, in Hamilton and Windsor, those services today.

**The Speaker:** The minister has up to five minutes for his reply.

**Hon David H. Tsubouchi (Minister of Community and Social Services):** It's hard for me to discern today which member we have here from Hamilton East, whether it's the gentleman who was the hard-liner when he was in charge of social services for Hamilton, or whether it's this new character who's appeared on the

scene since the Legislature's opened. In fact, as I understand it, there was reference to the honourable member in the Hamilton Spectator as the master of flip-flop during the election, so that's kind of interesting. So I'm trying to determine what his point is. One day it's one thing; one day it's another.

However, services for the disabled are a high priority for this government. We're committed to effective and efficient employment supports for the disabled. Ministry staff are currently developing a new framework of employment services for people with disabilities. This was our commitment during the election and it's consistent with our restructuring agenda.

Vocational rehabilitation services and many other employment services for the disabled were developed over 30 years ago and are in need of improvement. Clearly, consulting with the disabled community about what it believes to be the problems facing it is an important part of developing a new framework. This is why we have a meeting with members of the disabled community: to get their input and help us develop what our core services should be and how to improve these services.

We continue to provide funding for this service and help people with disabilities through approximately 138 vocational rehabilitation counsellors. In 1994-95, \$21.5 million were spent on VRS, providing services to approximately 12,500 people.

Vocational rehabilitation generally refers to the provision of vocational assessment and guidance, vocational training and placement, and follow-up services to enable disabled persons to overcome vocational handicaps and become or remain employed. These services currently funded under VRS include: assessment, workplace-based assessment, restorative devices, training, job placement and vocational crisis job restructuring.

The ministry staff have currently undertaken the redesign and improvement of employment services for persons with disabilities. We plan to develop a new system in the area of disabilities and employment with greater emphasis on employment outcomes and labour linkages.

We also continue to fund interpreter and intervenor services, over \$4.6 million this year, to help the deaf. Yes, we're asking people to do business more efficiently. We need to get our finances in order and decrease our debt.

We're currently reviewing all of our employment-related programs for persons with disabilities. We look forward to implementing a system that helps the disabled by working with the disabled community.

**The Speaker:** There being no further matter to debate, the motion to adjourn is deemed to have been carried. This House stands adjourned until 1:30 of the clock tomorrow.

*The House adjourned at 1816.*

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## Assemblée législative de l'Ontario

Première session, 36<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Wednesday 29 November 1995

Mercredi 29 novembre 1995



Speaker  
Honourable Allan K. McLean

Président  
L'honorable Allan K. McLean

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## LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 29 November 1995

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 29 novembre 1995

*The House met at 1332.*

*Prayers.*

### MEMBERS' STATEMENTS

#### NORTHERN ONTARIO HERITAGE FUND

**Mr Michael A. Brown (Algoma-Manitoulin):** I have a statement that will be of particular interest to the Minister of Northern Development and Mines and to the Minister of Agriculture, Food and Rural Affairs. This is representative of numerous letters I've received from my constituents.

The letter reads:

"I am concerned that the northern Ontario heritage fund program will be lost or changed in such a way that agriculture may no longer benefit in the way it has in the past. I feel that an agricultural component fits well within the revised mandate of the northern Ontario heritage fund. The challenge of stabilizing and diversifying the economics of northern Ontario communities and stimulating economic development has been taken up by the farmers in rural communities. It is my understanding that one of the aims of this new mandate is to assist 'one-industry towns' across the north. From that perspective several communities, plus Manitoulin Island as a whole, fit within these guidelines since without agriculture their economies would be devastated.

"Agriculture in the north represents a \$120-million industry and the northern Ontario heritage fund program was of significant importance in ensuring that this industry remained viable; \$6.3 million in forgivable loans had been approved under Norfund," and those have levered \$20 million of investment by the farmers in my area and across northern Ontario.

These farmers, people from the OFA, from the milk board, from all over, want this component of the heritage fund in place after today.

#### LAKE NIPIGON REGION HOSPITAL ASSOCIATION

**Mr Gilles Pouliot (Lake Nipigon):** It gives me great pleasure to announce that the Geraldton District Memorial Hospital, the Manitouwadge General Hospital, the Wilson Memorial General Hospital in the township of Marathon, the Nipigon District Memorial Hospital and the McCausland Hospital of Terrace Bay have officially formed the Lake Nipigon Region Hospital Association at long last.

While keeping their independence, each of those five hospitals has ratified the terms of reference for the association as follows:

- (1) provide opportunities for exchanging experiences and information among the hospitals;
- (2) study and make recommendations to the five hospital boards on opportunities to improve the delivery of health care in all of Lake Nipigon;

(3) provide a common voice for the five hospitals in communication with government.

The communities and hospitals which form the Lake Nipigon Region Hospital Association are relatively small, of course, so that new concepts can be effected more rapidly, making them ideal for pilot sites.

The timing, Mr Speaker, and I think you will agree with me, could not be better, for it is in a mere two and a half or three hours from now that the government of the day, those people over there, will strike with passion, will strike with vengeance. May they not jeopardize the good deeds of those five hospitals, for they have a vision. They know what's coming down the pipe. They don't like it but they're trying to live with it.

#### PHYSICIAN SHORTAGE

**Mr Ted Arnott (Wellington):** I'm rising today to pay tribute to the professionalism, excellence and caring of our doctors in Wellington county. Too often, I think, we tend to overlook and take for granted the people who are most important to us, and doctors, as the gatekeepers to our health care system, clearly rank high on the list of those people we rely on the most when we need their help.

In Wellington county we are blessed with outstanding general practitioners and specialists, most of whom practise in hospitals in Fergus, Palmerston and Mount Forest or in the hospitals in Guelph. But we also have many communities which lack a sufficient number of local doctors and it's time the Ontario Medical Association and the Minister of Health collectively act to encourage positive incentives to address this problem.

Physicians in Wellington tell me they recognize that the province faces a severe financial problem due to many years of reliance on deficit financing for a government that grew too large. They want to be part of the solution and have indicated to me their willingness to work cooperatively with the government on issues of concern such as better management of existing health care resources and improving medical service delivery while reducing costs.

Collectively, doctors in Ontario have already demonstrated their sincere commitment to their patients by in effect providing free health care services valued in excess of \$300 million last year alone due to the social contract. Obviously, this was a bad deal for individual doctors and it's important that change occurs in this area and that a new arrangement with doctors is reached.

As the government's mandate unfolds in the next four years, it is a certainty that we will be continuing to ask the help of our doctors to resolve both our health care and financial problems in Ontario. I'm confident that in the spirit of compassion and public service that they



exhibit every single day, we can count on them to be supportive partners, working alongside us.

#### DAY CARE

**Mr John Gerretsen (Kingston and The Islands):** My constituents are sending this government a message in a bottle—and a diaper.

Last Friday I met with the coalition representing the vast majority of private and non-profit day care centres in my riding. They presented me with hundreds of letters in baby bottles, diapers and toys, all of which I will pass on to the Minister of Community and Social Services. They want the Harris government to leave day care alone. Let me share a couple of the letters with you:

"The health and safety of our children is vital to Ontario. Your possible cuts may look good when balancing budgets but how do you factor a mentally and physically healthy child into this equation? Children are often forgotten but please remember...the generation that will bear the responsibility for you in your maturing years."

Next: "Cutting the child care subsidies to employed parents, regardless of their income, instituting a voucher system, and lowering the standards of child care will have a dramatic negative effect on all society.

"You will be jeopardizing the safety of our children. Without standards, children will receive lower quality of care....

"It is our hope that you will re-evaluate your plans to cut back these areas. You need to think of our children. Let's not destroy their future."

Next: "Your plans to change child care, as it exists in Ontario, are ill-conceived. They threaten the standard of care for all the children of Ontario.

"How can you propose to build a strong province if you threaten the future, our children?

"Please use your common sense and continue to support the high quality of regulated child care programs in Ontario."

#### BICYCLING IN TORONTO

**Ms Marilyn Churley (Riverdale):** As an avid cyclist and Toronto resident, I'm proud to stand here today and tell the House that Bicycling Magazine, the world's premier road and mountain bicycling magazine, has chosen the city of Toronto as the best city for cyclists out of 124 cities in North America.

The survey examined aspects such as number of cycling commuters, miles of bike routes, the existence of a bike plan, bike advisory committees, regulations regarding bike parking and safety programs.

In accepting the award, Mayor Barb Hall spoke of the work of the Toronto City Cycling Committee, of which I was chair during my years at Toronto city council. I know that I and many Toronto residents put many hours into ensuring that Toronto will become a premier bicycling city.

Our combined efforts have paid off. According to Bicycling magazine publisher Mike Greehan, Toronto is a model of how a city can both encourage and benefit from cycling and points to our innovative cycling program's high ridership, excellent natural amenities and a

committed cycling community. I encourage other communities in Ontario to follow Toronto's example.

Bicycling provides a fast, healthy and cost-effective method of transportation. Unfortunately, the government recently cut funding provided to encourage communities to establish bike plans. If our government was as committed to smog reduction and wise spending as it claims, it wouldn't have made such a short-sighted cut. Biking is healthy and cost-effective and deserves our support.

1340

#### ELLEN FAIRCLOUGH

**Mrs Lillian Ross (Hamilton West):** It's my pleasure today to bring to the attention of this House a milestone in the history of women in Canadian politics. This afternoon in Hamilton, the Right Honourable Ellen Fairclough will officially launch her memoirs, entitled *Saturday's Child: Memoirs of Canada's First Female Cabinet Minister*. Mrs Fairclough is a remarkable woman who has had a distinguished career in business and politics. As a fellow resident of Hamilton West, I wanted to extend my sincere congratulations to Mrs Fairclough on behalf of all members of this Legislature.

Mrs Fairclough's political career started municipally in Hamilton, first serving four years as an alderman and then one year as a controller.

Mrs Fairclough was successful in a federal by-election in May 1950 as the Conservative candidate for Hamilton West. After the 1957 general election, which saw a minority government, Prime Minister John Diefenbaker asked her to serve in his cabinet, first as the Secretary of State for Canada and then, after the 1958 election, as the Minister of Citizenship and Immigration. Between 1962 and 1963, Mrs Fairclough held the post of Postmaster General. As most members of the House know, Mrs Fairclough was the first woman cabinet minister in Canadian history and also the first woman to serve as acting Prime Minister.

In 1963, Mrs Fairclough became active with her husband, Gordon, in their printing business, and also became active—

**The Speaker (Hon Allan K. McLean):** The member's time has expired.

#### AMALGAMATION OF SCHOOL BOARDS

**Mr Frank Miclash (Kenora):** Northerners are saying that this government's plans for school board amalgamation across northern Ontario are not acceptable.

Over the past few months I have received letters, faxes and petitions signed by literally thousands of teachers, parents, students and trustees. All of them demand that amalgamation not take place among northern school boards.

The reasons are very clear. Northern communities are very different from southern communities, whereas the roles played by local school boards in northern towns are fundamental to those communities. This government has absolutely no proof that board reductions will save any money or improve classroom education.

Furthermore, northerners feel that this minister has done nothing to ensure that he understands the unique challenges and needs of northern Ontario. The minister

has simply opted not to consult with them on the amalgamation issue.

This minister has the responsibility to make his decisions in the best interests of the people of Ontario, based on correct information, not blind ideology. To learn what the people of Ontario want he must meet with them; he must speak with them.

For these reasons, I urge the Minister of Education and Training to get away from Toronto, to travel to northern communities, to visit with northern board officials, to meet with northern parents, to talk with northern teachers and to see for himself the uniqueness of northern communities.

#### PROSTATE CANCER AWARENESS DAY

**Mr Rosario Marchese (Fort York):** Today has been proclaimed Prostate Cancer Awareness Day across Metro Toronto, a day to raise public awareness about this disease. Prostate cancer is the most frequently diagnosed cancer in Canadian men after lung cancer and is the leading cause of cancer death in Canadian men. In Canada an estimated 16,000 men will be diagnosed with prostate cancer in 1995, and 4,200 will die of the disease.

Detection and treatment of prostate cancer in its earliest stage provides the best chance for complete cure, and the combination of annual rectal exams after age 40 plus annual PSAS blood tests after age 50 offers the best chance of early detection and cure.

From 1979 to 1994 approximately 52,000 men have died from prostate cancer. These are indeed scary statistics, but I emphasize them to point out that prostate cancer can be cured if caught in time. I urge all men to speak to their doctors about the early warning signs and to take the appropriate steps to ensure a cure.

**Mr Derwyn Shea (High Park-Swansea):** I am certain all members of this House will join me in wishing Mr Floyd Laughren, MPP for Nickel Belt, a speedy recovery from his surgery.

In the same vein, I rise to advise this House, as my colleague has just done, that today is Metro Toronto's first Prostate Cancer Awareness Day.

In 1995, approximately 16,000 Canadian men will be diagnosed with prostate cancer and some 4,000 will die, statistics comparable to the number of Canadian women who will be diagnosed with and die from breast cancer this year. Prostate cancer is the number one cancer suffered by Canadian men. After lung cancer, it's the leading cause of cancer death.

Men and their families must be educated about the disease and the importance of early detection and treatment. It is critical that we get the message to the public.

Today marks the first-ever Toronto awareness day for this disease and I hope that you will join me in helping recognize this important milestone. I encourage all Ontarians to get involved in the prostate cancer cause, because only through increased community involvement, awareness and funding will a cure be found.

Finally, please join me in applauding the efforts of the sponsors of this event: the Canadian Prostate Cancer Education Network; support groups US Too and Man to Man; and the Canadian Cancer Society.

#### ORAL QUESTIONS

##### RENT REGULATION

**Mr Alvin Curling (Scarborough North):** My question is to the Premier. Considering that you and your Minister of Housing have announced on many occasions your intention to eliminate rent control in this province, many people have been questioning what will happen to tenants who are now subsidized and who will be unable to pay market value rents.

You have stated your intention to implement a shelter allowance subsidy but without any details of how it will be implemented. Both tenants and landlords are concerned what the impact of these changes imposed upon them will be. My direct question is, will an individual applicant's shelter allowance subsidy be less than his or her rent-gear-to-income subsidy, and if so, what alternatives do you have planned for this shortfall?

**Hon Michael D. Harris (Premier):** I am aware of the member's long-standing interest and involvement in the whole issue of affordable housing and of rent controls, and making sure that there's an adequate supply and that tenants can afford that supply, both as a minister and as a critic, and so I appreciate the member's question and interest and comments.

Clearly, we indicated that we felt the rent control policy currently in place, the one that I believe the member voted against, as did the members of our party, which was put in place by the New Democratic Party, and the member for Scarborough North and his party voted against it—

**Mr David S. Cooke (Windsor-Riverside):** No, they voted yes on second reading and no on third reading.

**Hon Mr Harris:** Oh, I'm sorry; voted against it at one point, yes.

There were problems with the current system. It was too expensive; it was not serving tenants well; it was not serving affordable supply well. We indicated in the campaign and post-campaign that we believed it was incumbent upon all of us to see if we couldn't come up with a system that was more friendly to tenants, that was less costly, less cumbersome, and that we would strive to do that. We're in that consultative stage and our commitment is that if we can't come up with a system that's better for tenants, we'll leave the old one in place.

**Mr Curling:** I'm not quite sure if you're going to abolish rent control or not. One minute you were saying you were, and now you're saying you may leave this one in place. I recall too that in 1975 it was the Conservative Party that introduced rent control in a very haphazard way. In 1986, when we introduced ours, we got more balance involving tenants and also landlords in that.

But you're on record that it is your belief that if rent control in Ontario were eliminated, the building of affordable housing would flourish. Are you saying that rent control is the main cause for affordable housing not being built? Have you taken into account that tenants today are paying up to four times the accommodation tax that homeowners do? Would you be prepared to reform the property tax, making it fairer to all, which I think would dramatically reduce the cost to tenants who are paying rents today?



**Hon Mr Harris:** It's interesting that when the Liberal Party was in office they talked about rent review and now they talk about rent control, even though at some point in time they voted against it. So it's hard for us to get a handle on where the party is. But I want to say this: I believe the member for Scarborough North is sincere about wanting to have something in place that is fair to tenants and is in their best interests.

1350

As far as the tax issue goes, that issue was there for five years of your government and was not addressed. It sort of got like market value: Everybody was afraid to touch it. We went through another five-year period with the New Democratic Party, and now we have the Golden commission, which is examining all these issues of taxation, including values and including assessments. We are awaiting that report. I would hope if the member is advocating a change to how apartment buildings are assessed that he is making those views known to the Golden commission. If he hasn't, I will relay them for the member.

**Mr Curling:** Thank you, Mr Premier. I think I'd be quite capable if I had my presentation to relate any concerns I have in that regard. You may recall too that the consultation process that the Liberals had put in place was a matter of tenants and landlords coming together and coming up with a program—if you want to call it rent review—that is fair to both landlords and tenants. Of course the NDP had to try to dismantle it.

Your Minister of Housing has received a discussion paper of which the title is *The Challenge of Encouraging Investment in New Rental Housing in Ontario*. You may be quite familiar with it. Your new Minister of Housing has already heard from landlords, and they are the only housing group you seem to be listening to these days. What about the consumers of rental housing?

Given this government's willingness to dismantle programs without consultation, as we have seen with Bill 7, the labour bill, and without regard for public input, what assurance will you give us that you or your minister will hold full public hearings into changes to rent control and subsidy allowance when you bring forward your bill to abolish rent controls?

**Hon Mr Harris:** I want to say I take a little exception that we don't consult and don't listen. We consulted for five years. We had an extensive consultation process on Bill 40 and made our views known throughout that consultation process. Then when Bill 7 came in, which was the same groups to consult, and you referenced this as Bill 40, we offered a further 40 hours of hearings if there was anything additional. The NDP snuffed that out and said no to five days, or 40 hours, of hearings.

But I want to assure the member that we will consult all of those, consumers, tenants, all those involved in the rental housing industry before making any changes. I welcome the member's input, because we're convinced we can come out with a process that will help tenants better. It may be that the member would like us to appoint him as chair of a commission to do that. Certainly I know the member would want to do that. His signal to me is he'd want to do it under the dollar-a-year

principle under which we're looking for help from people.

#### CHILDREN'S SERVICES

**Mrs Sandra Papatello (Windsor-Sandwich):** My question today is for the Minister of Community and Social Services. Once again yesterday the minister indicated in this House that children are indeed a priority with this government, even though to date all parents in Ontario realize that the government's actions so far would indicate that would be otherwise.

In fact, so far this government has eliminated junior kindergarten for children, cut funding to children's mental health agencies, cut funding to children's aid societies, cut programs for children with special needs, made cuts to child care and cuts to those children whose families are on welfare.

Are we going to hear anything today in the economic statement that would indicate that children might be a priority with this government?

**Hon David H. Tsubouchi (Minister of Community and Social Services):** I'd like to thank the member for the question because it gives me an opportunity to say once again in the House that what we are trying to endeavour right now is to work with the various areas of concern to this government, including of course the area of child protection, the area of child care, the area of the disabled community.

As for the gist of the question, I guess you're just going to have to wait for a couple of hours.

**Mrs Papatello:** In my travels across the province over the last couple of weeks I've spoken to hundreds of parents, parents of all income levels, not just those on assistance, dual family-income parents, all of them. The questions I found most difficult to answer to those parents are those from parents with children who have special needs. The parents come from all income levels, every city, and they're all afraid.

It seems quite cruel to threaten cuts to programs that help provide the basic necessities for their children. I'd like the minister today to assure parents with children who have special needs that they will continue to have the required support from this government.

**Hon Mr Tsubouchi:** First of all, I have to say that this government is concerned about children with special needs. In fact the ministry has not ended any special-needs programs for special children. Local children's aid societies continue to work with families to ensure that their children receive the appropriate care.

Once again, I think the member is just going to have to be patient for a couple of hours to find out exactly what's going to happen today.

**Mrs Papatello:** The realities are, though, the cuts have been made already, in a mere six months, that indicate that children are not a priority with government.

The minister mentions the children's aid societies. Across Ontario we recognize that there are several prepared to turn their mandate back to the province because they cannot continue to fulfil their mandate as legislated by this government.

The realities are that you are making cuts to a child care industry, making threats to the industry, that in fact will dismantle it. In particular, the parents of children with special needs in Ontario are afraid because you are already withdrawing that support.

I'd like the minister to assure us in the House today, and later on in a couple of hours through the economic statement, that parents in Ontario can be assured of the kind of support children require, because the very future of Ontario depends on it.

**Hon Mr Tsubouchi:** Nowhere have we ever made any threats in terms of the child care area. The only thing I can see that is happening is from the other side of the House, in particular the particular member who is asking the question today, who is out there on a campaign to fearmonger.

I think the appropriate question, once again, is to ask what is the cost of sending out 50,000 postcards to people to try to get the community excited over nothing. She has raised several points before in the House with respect to jurisdictions which we haven't looked at. I think the member has to do a little bit better homework and certainly come up with some facts to support any statements she makes.

We have a priority for child care in this area. In fact, as I've said before in the House, we're conducting a review of the child care industry under the able leadership of Janet Ecker, my parliamentary assistant, and we are entering into consultation in this area. We have a mandate to provide better, more affordable child care and more choice in terms of the child care area to the parents across the province of Ontario.

#### RENT REGULATION

**Mr Gilles Bisson (Cochrane South):** My question is to the Premier. Tomorrow in private members' hour, I'll be introducing a motion that will call on this House to support the current rent control system. As you well know, you and your Minister of Housing have been telling Ontarians that you plan on introducing legislation that would scrap our current rent control system and replace it with a tenant protection package that would be market-based.

Premier, as you know, 3.6 million Ontarians live in apartments in this province. Many of them are concerned that such a move will allow rents to go right through the roof. Given that new landlords already have five years' exemption from rent control that allows marketplaces to initially set the rents in those crucial first five years, why are you putting tenants at risk and moving to a new system?

**Hon Michael D. Harris (Premier):** We've indicated—and I indicated earlier today when the member for Scarborough North was on this issue, a little ahead of the NDP—that we understand that the system in place is better than nothing, flawed as it is.

1400

It was our goal to, and we believe we can, come up with a system that can encourage more supply in conjunction with trying to stop the massive subsidization and waste of dollars with the non-profit industry, as pointed

out by the auditor—where the auditor said, "You're wasting hundreds of millions of dollars"—creating ghettos where you ghettoize everybody who needs assistance, and try and move in a combination package of shelter subsidy, of the private sector, of giving tenants more choices, of not ghettoizing people who need assistance by saying, "You've got to go into this unit or project that we designate as opposed to your choice," and a whole package that we believe will be in the better interest of all tenants, including those with an affordability problem.

We're working on that. We're consulting on that. I hope you're as interested as the member for Scarborough North in helping us come up with something better than what is in place.

**Mr Bisson:** It will certainly be a snowy day when the Liberals are ahead of us on any issue, because we really don't know what side of the fence they fall on this issue.

**Mr John Gerretsen (Kingston and The Islands):** Now careful. Be careful now.

**Mr Bisson:** Oh, we've got their dander going, we've got them going.

I must say that you certainly stick to your lines, Premier.

*Interjection.*

**The Speaker (Hon Allan K. McLean):** The member for Windsor-Sandwich is out of order.

**Mr Bisson:** However, your lines were not what Tory candidates were telling voters in the last election. It seems that the Tories, in their lust for power in the last election, were, let's say, inconsistent in their message to voters. In fact I would say they were very inconsistent. They seemed to be engaging in the oldest trick in the book: Tell them one thing in your central campaign, but tell them another thing on the doorstep.

I have here an election leaflet issued by Mr Leach's own parliamentary assistant, the now member for High Park-Swansea, Mr Derwyn Shea, that states, "The Mike Harris"—

*Interjection.*

**The Speaker:** The member for Hamilton East is out of order.

**Mr Bisson:** —"policy would maintain rent control for all tenants in rental units."

I have here another one, from Mr Saunderson, that says, "Mike Harris will strengthen rent controls, not cancel them."

**The Speaker:** Put your question, please.

**Mr Bisson:** Premier, clearly you're saying one thing and these two other members are saying something else. Who are we to believe?

**Hon Mr Harris:** I am surprised, actually, that a member of the New Democratic Party would come forward suggesting that there were mixed messages in our campaign—the masters of mixed messages, the masters of saying one thing and doing another, the masters throughout the province, the fearmongers at election time of the worst kind that I've ever seen in the history of the province, second only sometimes to the Liberal Party.



But let me say this to the member: We remain committed to ensuring—whether it is marketplace rent controls, which have worked in British Columbia better than your failed policy, or whether it is a combination—we are determined that rents will be controlled in the province of Ontario better than your failed policies are doing, and that's what we're striving to find.

When we find that, we will bring it into place, confident it will supply better controls, more choice, more opportunities, freedom of where to locate, shelter subsidies, less ghettoization than your policies collectively presented. That's our commitment and that's what we're striving for.

**Mr Bisson:** The Premier talks of inconsistencies of messages during campaigns and inconsistencies once we come into the House. I'm sure the Premier wouldn't want to give voters the impression that he's saying one thing during a campaign and another thing after.

I have here the *Toronto Star*, dated May 29, 1995, in the midst of the provincial election, where the headline reads, "PCs Vow Rent Revamp." What it goes on to say—this is a direct quote from you that you said on CITY-TV on May 28—"Harris said tenants would still be protected under a Tory government and rents would be set as they now are under rent control guidelines."

My question to the Premier is simply this: You're telling the tenants in this province one thing during the election and then you're telling them another thing when it comes into the House. I want you to do one simple thing: Reconfirm what you said to the voters of this province in that article and say that you will stick to a rent control system that's based on our present Rent Control Act. Come clean.

**Hon Mr Harris:** You're asking me to confirm something that I haven't seen from CITY-TV to the *Toronto Star* or in the campaign that was there. I'd be happy to take a look at the article. I'm happy to repeat what I said pre-campaign, during the campaign and now consistently. You don't want to take yes for an answer, but I think tenants will. If we make any changes, it will be better for tenants than your failed policies. That's our commitment.

#### SKILLS TRAINING FUNDING

**Mr Tony Silipo (Dovercourt):** I have a question to the Premier as well and it concerns the important issue of youth unemployment, something that I know the Premier has many times expressed his concern about.

I want to tell him about a centre that's located just on the border of my riding and the riding of St Andrew-St Patrick. It's St Stephen's Youth Employment Centre. One of the programs that this centre runs is a computer training and English-language skills program aimed particularly at recent immigrants who are young people.

The amazing thing about this particular program that they run is that it is run, in terms of government funding, at a very low rate. I think the total government contribution averages about \$750 per student. This program's success rate has been phenomenal. They've managed to place over 70% of the people who go through this program, who end up with a job.

What I'd like to ask you, Premier, is where is the common sense in eliminating a program—which is what is happening because of the cuts through the municipal employment programs and Metro social services having to cut this program—that gets people from welfare into jobs, particularly young people, and costs the government \$750 per student? Where is the common sense in that?

**Hon Michael D. Harris (Premier):** I have to confess that I'm not 100% aware of all the details of this program. It sounds like one that is being run by the city of Toronto through Metro social services. If they're cancelling something that doesn't make sense, I'm going to talk to them.

**Mr Silipo:** I will confess that the reason I chose to ask the Premier the question is because a part of me was hoping that he would take exactly that attitude, as opposed to what might have happened if I'd asked the Minister of Community and Social Services.

I'm sure the people at St Stephen's will be delighted by that answer, because one of the things the Premier will find when he pursues this is that this program is giving young people who, as I said, are recent immigrants or refugees to this country, what they need in terms of getting Canadian experience through a 12-week training program, followed by a 16-week, on-the-job placement program. As I said, this is getting people off welfare and into jobs, exactly the kind of thing this Premier and this government have been talking about.

I want to make sure the Premier is prepared to ensure that this program does not go under. Yes, it's being cut through Metro social services, but the reason it's being cut through Metro social services is because of the cuts that your government has made to the municipal employment programs. They are the direct funders, but that municipal employment program is funded primarily through the Ministry of Community and Social Services.

**Hon Mr Harris:** I've indicated that we'll take a look at the program. It may be that it will require some consultation with the city of Toronto. It may be that they have valid reasons, and I don't want to prejudge that. But the minister has already indicated, as he does if there's any single little area of unfairness anywhere out there in Ontario that is affecting the most vulnerable, or the needy, or children, or those that we definitely want to target for assistance, we want to take a look at that. So we'll look into that.

I think the member was saying that it had to do with—was it with immigrants or new Canadians? Maybe we should talk to the Liberals here, and if we could get a better deal out of the federal Liberals in Ottawa in funding the services—I know Mr Rae had spent a considerable amount of time lobbying for that, and I have assured the former Premier and the leader of your party that I'm going to pick up the torch there and continue that lobbying to make sure we get a fair deal on helping new immigrants establish in Ontario.

1410

**Mr Silipo:** The Premier will certainly get no disagreement from me and from the NDP caucus in terms of wanting to go after the federal Liberal government.

That's fair game. But what I want to say to the Premier is that right in his Common Sense Revolution there is a commitment to providing people with opportunities for training, doing that also through training programs.

*Interjection.*

**The Speaker (Hon Allan K. McLean):** The member for Oakwood is out of order.

**Mr Silipo:** I remind the Premier that there are existing programs, like the St Stephen's community placement program, which right now does exactly that. It does it at a very low cost-per-pupil basis, and it also does it—I know the Premier will be interested in this—by involving private funding, but that private funding is in jeopardy of being cut because those private foundations will not continue their funding if there is no government funding, Premier.

That's the point we want to register with you, that sometimes a little bit, as in this case, of public money, government money, goes a long way to securing jobs for people, in this case for young people.

I want to ask the Premier again to ensure that this program and many others like it, because we could get up here day after day and give him lots more examples, do not go under in order for the Premier and his government to fulfil the rest of their agenda.

**Hon Mr Harris:** I think I've answered the question, but I am happy to respond to the member. The question is, if there are other examples where other agencies or governments are not using common sense, would we be prepared to assist or look at that? Of course we'll do what we can within our jurisdiction.

If the member is saying that after five years of the worst government the province has ever seen, he's discovered common sense and he's learned something from the election of June 8, and now I'm seeing some positive signals that he'd like to work with us in a positive, cooperative way to find commonsense solutions to the problems that he and his predecessors left us over this dismal, lost decade, I accept that offer. We're prepared to work with you.

#### ONTARIO HYDRO SALARIES

**Mr Sean G. Conway (Renfrew North):** My question is to the minister responsible for Hydro. On October 24 I raised, in your absence, the question of reported pay raises at Ontario Hydro's nuclear power division in recent months. I raised this concern with the Chair of Management Board on October 24.

As you know, the utility was reported to have increased the pay in recent months of a number of managers, many of them associated with the nuclear power division, pay raises of up to 15%. Your colleague the minister responsible for treasury board indicated that there was a concern on the part of the government, that you had been deputized to convey that concern and to inquire into what could be done. Can you report to the House on the status of your inquiries in that respect?

**Hon Brenda Elliott (Minister of Environment and Energy):** I did raise those concerns that you brought forward in the House on that occasion, and I'm happy to report to you that the increases stem from salary compen-

sation decisions made by the Ontario Hydro board of directors in 1993. The determination of these salary levels for individual employees is an operational decision, as the member opposite knows, for the operations of Ontario Hydro.

We certainly are concerned when increases are such for employees, wherever they may be. The times are difficult for all of us, and certainly we wish that all people in Ontario would exercise the same sort of restraint that we in the government here are exercising and that most people across Ontario are doing.

**Mr Conway:** It's not what you wished, it's not what you prayed for, it's not what you hoped for; it's what you did or did not do in this case. Do you not think it is obscene that on this day of all days, budget day 1995, you should come to this House and say that managers responsible for the nuclear power division, a division that's been fraught with safety problems reported widely in the public press, are this year receiving pay raises of up to 15%?

In and of itself, do you not think that is unacceptable, and do you not agree further that it sets a very poor example for the broad public looking to you for leadership to ensure that there is going to be pay for performance and there is going to be some discipline for poor performance?

Minister, beyond what you hope and prayed for, did you do anything?

**Hon Mrs Elliott:** I remind the honourable member opposite that the compensation increases stem from a decision made by the Ontario Hydro board of directors in 1993.

But I would like to mention that this government has been taking action with Ontario Hydro. We have instituted a rate freeze. We have made Ontario Hydro accountable for all changes in its operations under the guise of that rate freeze and within the limitations that are very clearly imposed on that corporation by that rate freeze. I remind the honourable member that we have appointed a new chair of Ontario Hydro and we very much look forward to the direction we will see from this new chair. I would also say that for the first time, we have organized a commission to look at the restructuring of electricity in this entire province. We are taking action.

#### COURT FACILITY

**Mr David S. Cooke (Windsor-Riverside):** I have a question to the Chair of Management Board. Mr Chair, it is reported in my local paper, in the Windsor Star, that your ministry is seriously considering proceeding with the construction of the new courthouse in Windsor and that you're considering doing that with a private sector developer, that you would do this project jointly with the city of Windsor and that you would then lease back that facility from the private sector.

Could the Chair indicate to us, over the life of the possible lease, how much additional money that will cost the taxpayers rather than paying for the building up front?

**Hon David Johnson (Chair of the Management Board of Cabinet):** In terms of the courthouse situation,



we are in a position to explore all alternatives, and I might say that not only in Windsor but in other locations in Ontario, other court sites, there are various options coming forward. For example, the mayor of Oshawa visited me about two weeks ago and brought forward possibilities with regard to the courthouse in Oshawa.

I'm happy to say to the member that we are negotiating, we are discussing with the mayor, with the council members in Windsor, the possibility of cooperation with the municipality, with the possibility of including a police function within the building. In terms of how the building is constructed or in terms of the financing, there are various options being discussed at this point, and I think we're making good progress.

**Mr Cooke:** There is one option the minister has ruled out, and that option is the completion of the construction of the building in the original form it was planned. He ruled that out, as it was quoted very strongly in the local media and press.

I'd like to remind the minister that to date, out of a project that would cost \$54 million to complete, there has been nearly \$30 million spent already in building that courthouse. I'd just ask the minister whether he could tell us what the additional cost of the option being examined by your ministry would be. If it is completed by the private sector and leased back, we know it will cost the taxpayers millions of additional dollars. What will that additional cost be?

**Hon David Johnson:** To the member for Windsor-Riverside, I'm happy to report to the House that it is our expectation that by exploring these options, rather than costing the taxpayers millions of dollars we will be saving the taxpayers tens of millions of dollars. I'm very delighted that the community, that the mayor, that the council in Windsor are taking a very cooperative approach—one, I might say, I'm not entertaining in the House this afternoon.

As a result of that cooperative approach, the discussions are looking at alternatives that will save the taxpayers millions of dollars on this project. Indeed, the Attorney General is looking at alternatives for about five courthouses across the province of Ontario. My expectation is, because of the kind of cooperation we're getting in municipalities across Ontario, that we have a good chance of delivering courthouses in many of the communities and at a cost that the taxpayer can afford.

1420

#### PROCEEDS OF CRIME

**Mrs Barbara Fisher (Bruce):** My question is for the Solicitor General and it concerns his announcement that Ontario will finally be able to benefit from the proceeds of crime. Could the minister outline why Ontario hasn't been benefiting from the proceeds of crime in the past and how soon the province could expect some of these funds?

**Hon Bob Runciman (Solicitor General and Minister of Correctional Services):** I really can't explain why we haven't been benefiting up to this point. Clearly, it wasn't a priority of the previous government.

**Mr David S. Cooke (Windsor-Riverside):** Benefiting from crime.

**Hon Mr Runciman:** It wasn't a priority of the previous government, and we're hearing that from across the floor, that that's still their view.

Clearly, our party and our government are committed to doing this. It makes sense, in our view, to share the proceeds of crime in the fight against crime in this province. We're looking forward to receiving our first cheque within the next few months.

**Mrs Fisher:** I was pleased to hear the minister state last week that the money will not be put into the consolidated revenue fund. Instead, it will be deposited into two new accounts. Could the minister explain how this money will be used and, in particular, could he confirm that the funds will be used for crime prevention purposes?

**Hon Mr Runciman:** Yes, I can indeed. In fact, there are two dedicated funds for the revenues that will be derived from the proceeds of crime, one for the Ministry of the Solicitor General, the other for the Ministry of the Attorney General. Indeed, these will be used for crime prevention purposes. Community groups, law enforcement groups will be able to apply for use of these funds, and victims' groups that are advocating crime prevention measures will also have access to funds that grow through the proceeds-of-crime memorandum of understanding with the federal government.

#### TRANSFER PAYMENTS TO MUNICIPALITIES

**Mr Rick Bartolucci (Sudbury):** My question is to the Premier. I have a copy of a resolution sent to you from FONOM, the Federation of Northern Ontario Municipalities, expressing great concerns over cuts to northern municipalities due to the inequities in our tax bases.

The following part of the resolution passed by the federation reads as follows, and after very many important "whereases," it says, "Therefore, be it resolved that the Federation of Northern Ontario Municipalities, FONOM, requests the province to limit the reduction of unconditional grants for any northern municipality to a maximum decrease of 3% of the 1994 tax levy."

They haven't heard a response from your minister or you, Mr Premier. I'm asking, how will you respond to this resolution?

**Hon Michael D. Harris (Premier):** I know that the member, being from the north, will understand this party's long-standing commitment to northern Ontario and to some of the increased costs northerners have. We are the party, of course, that was in government when the differential was first brought in, when special northern grants were put in place. As I recall, we brought in a minister and a Ministry of Northern Affairs at the time that your party opposed. I don't know if you opposed it at the time, but your party and your leader opposed it, said, "No, this is terrible, having a voice for the north."

But let me assure the member and let me assure the municipalities and the association and FONOM that nothing that they will hear later today from the Minister of Finance and in future weeks as details are brought forward for individual municipalities will take away from the fact that we respect and understand different tax bases and different costings in all parts of the province, including northern Ontario.

**Mr Bartolucci:** I'll take that as a no. I'm really not asking you what you did in the past, I'm asking what you're going to do later on today. Premier, your across-the-board cuts to municipalities will unfairly penalize those municipalities that have truly tried to be fiscally responsible and tried to control their costs.

Let me tell you that your 20% reduction in transfer payments to municipalities will lead to an 8.3% hike in property taxes in the city of North Bay, a city I know you're familiar with, in part. The city of Sudbury can expect an 8.9% tax hike; Timmins and Sault Ste Marie, a 7.5% tax hike; and the region of Sudbury, 9.7%. Premier, how can you justify punishing those fiscally responsible municipalities with these across-the-board cuts?

**Hon Mr Harris:** I'm glad of the opportunity to clarify for the member that of course we will not be punishing fiscally responsible municipalities. We will not be punishing municipalities across northern Ontario.

I met with members of municipalities across the north, including my own, including some in Sudbury, just last week. I know the Minister of Northern Development has as well, and so has the Minister of Municipal Affairs and Housing.

I want to assure the member that, as we have in the past when we were in government, as we advocated when we were in opposition and as we will do in governing, although it will be difficult and adjustments will have to be made, we will be fair to all municipalities in the province of Ontario. We will give them the tools they need.

They have told us they recognize the problem—an Ontario on track to bankruptcy, which we inherited, and in fact a country that, unless changes are made, is heading for bankruptcy—and that they have to be part of the solution. They're asking for the tools to be part of that solution, and we will do that fairly. We will do that fairly for all municipalities, including those in northern Ontario.

#### BUS TRANSPORTATION

**Mr Gilles Pouliot (Lake Nipigon):** Mr Speaker, in the absence of the Minister of Transportation, who is no doubt busy on yet another assignment, you will permit me, sir, to direct my question to the Premier of the province.

It was him, Premier, your Minister of Transportation, who said a few days back that your government intends to deregulate the bus industry in the province of Ontario, and we heard him loudly and clearly. Yet he said in the same vein that he would have the bus industry regulate itself. It's like having Colonel Sanders in charge of Swiss Chalet.

The freedom to move: The coalition of seniors, coalitions of students, coalition of commuters are saying very plainly that they suspect a deal will be cooked under dim lighting in the back room. Will you have public consultation before anything else takes place so that people in Lake Nipigon, people all through the north, southeastern, southwestern, will not be left without the essential service, which is that of commuting through intercity buses?

**Hon Michael D. Harris (Premier):** As you are aware, because the Minister of Transportation has been very forthcoming, we are looking and his ministry is looking at the bus industry. As your government, or previous ones, were involved in deregulation of the trucking industry, trying to bring more competition, lower costs, we are looking to see if there are some benefits—lower fares and service improvements—by looking at the current regulatory process in place in the bus industry.

I want to say to the member, some have said that if you don't proceed carefully, some communities may lose service. Others have come forward and said, "If you will streamline this process, many smaller companies are prepared to enter into the marketplace and perhaps we'll have improved service."

We've asked the minister to weigh all these predictions, if you like, and benefits, to study it very carefully and ensure whatever we do is in the interests of those who require bus transportation in the province of Ontario, and that's what we're doing.

1430

**Mr Pouliot:** With the highest of respect, Premier, you're right: Your Minister of Transportation has been forthcoming, but it seems that he's been forthcoming in many directions.

We want to know here—and we're only seeking clarity—within the confines of the mandate of your minister, Premier, is this new deal going to serve the consumer, people of moderate means like the opposition here, or is it going to serve the bus company? Which one will it be? We want to know, because we have plans to make, plans to go to school, plans to go to work, plans to attend much-needed, essential medical services.

You can make a difference. You're the boss here, Premier. Stand up and say that you will protect us.

**Hon Mr Harris:** Let me assure the member of this: We haven't asked the minister that at the top of his mind should be members of the Legislature who have full cost recovery on their travel, in their ridings, to and from Toronto, and are able to expense it. That hasn't been our top priority, looking after the members of the Legislature.

**Mr Pouliot:** On what you're paying me, I can't afford to go back and forth.

**Hon Mr Harris:** The member says he's not paid enough and he's having trouble affording going back and forth to the riding. Let me assure the member that I believe the Legislative Assembly provides ample travel allowances for the members who are there.

What we are concerned about are those who don't have the same expense allowances that the member has, those citizens of all of our communities across the province of Ontario. That indeed is our top priority—

**Mr Gilles Bisson (Cochrane South):** The bus has left the station. You missed the bus.

**The Speaker (Hon Allan K. McLean):** The member for Cochrane South is out of order.

**Hon Mr Harris:** —looking to see if we can find ways to improve service and affordability for Ontarians.



## INTERMINISTERIAL COOPERATION

**Mr Leo Jordan (Lanark-Renfrew):** My question is for the Minister of Agriculture, Food and Rural Affairs. That's a hard act to follow, but, Minister, you realize that we did promise reduced red tape and increased cooperation between ministries. We did this in the hope that it would lead to job creation. Can you tell me, if you have made any progress in this area?

**Hon Noble Villeneuve (Minister of Agriculture, Food and Rural Affairs, minister responsible for francophone affairs):** Yes, we have reduced and will be reducing red tape. Examples: We're working, together with the federal government and my colleague the Minister of Environment and Energy, towards harmonizing the use of pesticides. That will reduce red tape and it will reduce time.

I'm also working with my colleague the Minister of Natural Resources and Northern Development and Mines regarding the aquaculture industry. Aquaculture is very important, and the Minister of Natural Resources has announced many more species that are now available to be raised domestically.

So yes, we're putting together a province that has a lot less red tape and will be providing more employment and business opportunities.

**Mr Jordan:** I can appreciate that when two ministries are involved, it's easy for there to be more red tape and regulatory burden. As a result then, it's a detriment to growth and job creation. Could the minister explain how the two ministries that he's referred to—he represents one, and the Minister of Natural Resources and Northern Development and Mines the other—are working together and whether new job creation is actually expected from this initiative?

**Hon Mr Villeneuve:** Yes, the Ministry of Agriculture, Food and Rural Affairs along with the Ministry of Natural Resources have deregulated and continue to work together on—

**Mr David S. Cooke (Windsor-Riverside):** Deregulated what?

**Hon Mr Villeneuve:** The livestock industry, for instance. The former government wanted to tie up the exotic-type farming. Deer farmers were very unhappy. Yes, we are deregulating.

**Ms Marilyn Churley (Riverdale):** You're the exotic minister.

**The Speaker (Hon Allan K. McLean):** The member for Riverdale is out of order.

**Hon Mr Villeneuve:** The new climate for growth and opportunity in Ontario will assist the aquaculture industry, for example, which is only at \$15 million presently, to grow to sales of \$50 million by the year 2000.

## SATELLITE GAMING

**Mr Jean-Marc Lalonde (Prescott and Russell):** My question is to the Minister of Consumer and Commercial Relations. On November 21, you confirmed that your ministry, through the Registered Gaming Suppliers of Ontario, was in the process of giving final approval to satellite bingo. You also mentioned on November 21, and

this is taken from the answer, "There is no doubt that this kind of province-wide network bingo would affect charitable bingos to a very great degree."

I'm quite concerned with the effect that those bingos would have in my riding, and also the cuts, since we recognize all the cuts that we are going through at the present time. There were some priests over the weekend who were telling me that now the people are lining up at the door of the church to get food, and the money for that food comes from bingos that they run during the week. In my riding alone, over 100 permits are issued on an annual basis, and 50% of those permits are issued for weekly bingos.

**The Speaker (Hon Allan K. McLean):** Would you put your question.

**Mr Lalonde:** Those bingos represent hundreds of thousands of dollars, and probably over \$1 million, in revenue for charitable bingos in my riding. The minister has said that revenue generated by the province-wide bingo game will be returned to the charitable groups of the province.

**The Speaker:** And the question is? Put the question.

**Mr Lalonde:** My question to the minister: Will the minister guarantee that the charitable groups in Prescott and Russell will receive provincial bingo game revenue equal to the current revenues they are generating on their own?

**Hon Norman W. Sterling (Minister of Consumer and Commercial Relations):** As I indicated in the House to your colleague, who I believe since the date of his question has been inundated by charities supporting the new concept for bingo—and I'm not surprised that he's not asking this question of me today, because I'm sure that he's embarrassed by the response that he has evoked, which has been of the exact opposite of the tack he took in his question.

Notwithstanding that, the principle which has been put forward by this group has been approved. However, the details as to how the money shall be divided have not been brought forward. I'm not about to have this particular type of bingo approved unless all charities get some of the benefits from it. It's not for one charity, it's for all of the charities of Ontario, and we have to be certain that they all receive a fair shake out of this new scheme.

**Mr Bruce Crozier (Essex South):** It's my pleasure to inform the minister that I am not embarrassed. It's our responsibility to raise questions when they're of concern to the small people in this province. I'll also inform the minister that I have not been inundated by anyone. I have received more calls from Tecumseh, from McGregor, from Prescott-Russell, from St Catharines, from small bingos. I got one big letter from the registered gaming suppliers of Ontario, who have a very vested interest in this.

1440

What I would like to ask the minister is: He has acknowledged that this is going to hurt small charities in the province, he has acknowledged that for the first time in history that I know of you're going to participate in the revenues of bingo, notwithstanding the fact that your

Premier said you don't need the money. How is it, Mr Minister, with this charitable trust that you're going to set up, that you're going to assure the small bingos of this province that they are going to be able to continue: not just participate in this money, but that they are going to be able to continue and in fact survive?

**Hon Mr Sterling:** The member is quite wrong in his taking of my remarks that this was going to injure bingos or injure charities.

*Interjection.*

**The Speaker:** The member for St Catharines is out of order.

**Hon Mr Sterling:** The whole purpose of this endeavour is to improve it for charities like B'nai Brith, which I also know contacted you, contacted the minister as well, and probably services many, many people across this province as well. But the whole purpose of this is to allow the bingos to regain the business that they've lost to the other parts of the gaming industry. Therefore, all I'm concerned about is and the bottom line is that charities are better off than they were before this started.

#### AGRICULTURAL LABOUR POLICY

**Mr David Christopherson (Hamilton Centre):** My question is to the Minister of Labour. Minister, as a result of your anti-worker Bill 7, there are now over 200 workers at the Highline Produce Ltd mushroom plant in Leamington who have been denied their right to a union. In fact, they'd already signed voluntarily, had begun negotiations, and your anti-worker legislation has denied them that democratic right. When asked about this recently in an interview with regard to health and safety, you answered, and I quote from the article, "Although the workers can't seek the protection of a union, they will be protected by provincial health and safety laws."

Given that agricultural workers in Ontario are not covered by the Occupational Health and Safety Act and therefore will not have any protection if they cannot include clauses in a collective agreement where you've taken away those rights, my question to you is, is it your intention to amend the legislation so that all agricultural workers will have protection for health and safety under the law, or will you be making a special case just for the workers at Highline Produce?

**Hon Elizabeth Witmer (Minister of Labour):** As you well know, the agricultural community is protected by the Farm Safety Association. I met recently with the farming community and they are very adequately looking after the needs of the agricultural workers at the present time.

**Mr Christopherson:** Minister, that is outrageous, to suggest that they're adequately covered. When I talked to workers from that plant when I was in Windsor, and the union that attempted to negotiate a collective agreement on their behalf, they spoke of the unusually high rate of serious accidents and deaths, high rates above average. You answered when that question was put to you, "Don't worry about a union contract; you're covered by legislation." Don't give me some smarmy answer about associations. We're talking about workers' rights being protected in law.

My question again to you is, will you provide that protection in law for all agricultural workers or will you at least honour your commitment to provide protection in law to the workers at Highline Produce?

**Hon Mrs Witmer:** As I have indicated on many occasions, it is certainly our intention to provide the safest workplaces possible in this province. It is to that end that we have set up the health and safety review panel.

I am meeting tomorrow with a group of individuals and we are again taking a look at involving the private sector to ensure that we raise public awareness. We recently have introduced the Alert program and we are actively moving forward. I am meeting with the Minister of Agriculture and we will ensure that we have safety, whether it's in the agricultural community or whether it's the industrial community. I would suggest to you, if you do have specific concerns, that you address them to the Minister of Agriculture.

#### FEES FOR USE OF CROWN LAND

**Mr R. Gary Stewart (Peterborough):** My question is to the Minister of Natural Resources. I believe this question to be very important because it could have a major effect on rural and northern Ontario. I've received numerous calls and letters from constituents in my riding and groups across the province concerning the application of crown land fees on such things as water lots. What progress has your ministry made on the question of rental fees on commercial water lots?

**Hon Chris Hodgson (Minister of Natural Resources, Northern Development and Mines):** I'd like to thank the member for Peterborough for his question. It is a very important issue. I know he's aware that by statute, land under navigable waters belongs to the crown. What he's referring to are docks and boathouses. These are called water lots, which are privately owned but occupy crown land.

Groups like the Northern Ontario Tourist Outfitters Association and other owners are concerned over the fairness of the fee schedule the previous government proposed for these rental lots. I would like to continue the dialogue with these affected owners and make sure that water lot rates are fair and the schedule is fair, or even if they're appropriate.

**Mr Stewart:** Mr Minister, I agree with you 100%, because certainly it was another tax or suggested tax by the previous government to continue their ride into economic chaos in this province.

I understand that the previous government's plan would have directed staff from your ministry to begin enforcement action in situations where these types of water lots have not been authorized by the end of the year. Is the ministry planning to begin enforcement action on January 1, 1996?

**Hon Mr Hodgson:** As the member for Peterborough stated, that's the situation that I inherited, but after listening to the concerns of lodge owners and NOTOA—I was in Kenora two weeks ago, speaking at NOTOA—I realized that we need to extend this deadline to May 1, 1996, in order to have a further dialogue and to see what's fair and to see what's appropriate in this regard.



## PETITIONS

### HOSPITAL RESTRUCTURING

**Mr Monte Kwinter (Wilson Heights):** I have a petition to the Legislative Assembly of Ontario.

"Whereas the report of the Metropolitan Toronto District Health Council hospital restructuring committee has recommended that North York Branson Hospital merge with York-Finch General Hospital;

"Whereas this recommendation will remove emergency and inpatient services currently provided by North York Branson Hospital, which will seriously jeopardize medical care and the quality of health for the growing population which the hospital serves, many being elderly people who in numerous cases require treatment for life-threatening medical conditions;

"We petition the Legislative Assembly of Ontario to reject the recommendations contained within the report of the Metropolitan Toronto District Health Council hospital restructuring committee as it pertains to North York Branson Hospital so that it retains, at minimum, emergency and inpatient services."

I have affixed my signature.

### MINISTER'S COMMENTS

**Ms Marilyn Churley (Riverdale):** I have a petition to the Legislative Assembly of Ontario.

"Whereas six women present at a meeting held by the minister responsible for women's issues, Dianne Cunningham, at her constituency office on October 25, 1995, agree that they heard the minister state, 'Within the context of this government, you need to understand that groups or agencies that are seen not to be working with this government, providing an oppositional voice...will be audited and their funding eliminated'; and

"Whereas the minister responsible for women's issues denies having made this statement; and

"Whereas the minister's credibility and all future actions and statements will be clouded by these discrepancies;

"Therefore, we, the undersigned, request that the government establish a legislative committee to determine whether the minister responsible for women's issues abused her authority as a minister of the crown by making threatening and intimidating remarks at the meeting described above."

I affix my signature to this petition.

1450

### CHILD CARE

**Ms Annamarie Castrilli (Downsview):** I have a petition to the Legislative Assembly of Ontario.

"Whereas high-quality child care contributes significantly to the healthy development of all children;

"Whereas research has proven that good wages and working conditions for early childhood educators are a key factor in high-quality child care;

"Whereas the best way to ensure a superior system is through public funding so that all children can access affordable, high-quality, non-profit child care; and

"Whereas recent cuts to child care are destabilizing the entire child care system in Ontario;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That all public funding be restored for child care, including subsidies, capital funds, operating grants and all-day junior kindergarten pilot programs;

"That all existing commitments regarding wage subsidies, pay equity grants and any other funding programs and/or policies that help to stabilize high-quality child care for children and families in the province of Ontario be retained; and

"That public hearings be held as part of the child care services review process."

I'm proud to add my signature to those of my constituents in Downsview.

### JUNIOR KINDERGARTEN

**Mr Gilles Bisson (Cochrane South):** I have here a petition from some of the youngest people in the province in regard to saying to Mike Harris, "Don't stamp out junior kindergarten." I recognize it's not a legal petition, but they did give it to me, and I must give it.

### CHILD CARE

**Mrs Julia Munro (Durham-York):** I bring to the assembly a petition in support of family resource programs.

"We, the undersigned, are firmly opposed to the erosion of the child care system. We are most particularly concerned about the unregulated child care sector, which represents the choice of most Ontario families, many living in rural areas. We urge this government to make its budget reductions in areas where children and families will not once again be the targets of cuts. Family resource programs support the informal sector of child care, which includes parents caring for their own children and care provided by grandparents, home child care providers and nannies."

### HIGHWAY SAFETY

**Mr Michael A. Brown (Algoma-Manitoulin):** I have another petition on the same subject that we've been talking about for many weeks now. It says:

"To the Legislative Assembly of Ontario:

"Whereas the Ministry of Transportation is intent on reducing northern winter road maintenance services; and

"Whereas such downgrading places the lives of northern residents at undue and unnecessary risk;

"We, the undersigned, petition the Legislative Assembly of Ontario to disallow these reductions in service and to guarantee that winter roads across the northern regions of the province receive the necessary maintenance to ensure the safe passage of drivers."

This particular petition is signed by the entire council of the township of Tehkummah.

### MINISTER'S COMMENTS

**Mr David Christopherson (Hamilton Centre):** I have a petition to the Legislative Assembly of Ontario. It reads as follows:

"Whereas six women present at a meeting held by the minister responsible for women's issues, Dianne Cunningham, at her constituency office on October 25 of

this year agree that they heard the minister state, 'Within the context of this government, you need to understand that groups or agencies that are seen not to be working with this government, providing an oppositional voice...will be audited and their funding eliminated'; and

"Whereas the minister responsible for women's issues denies having made this statement; and

"Whereas the minister's credibility and all future actions and statements will be clouded by these discrepancies;

"Therefore, we, the undersigned, request that the government establish a legislative committee to determine whether the minister responsible for women's issues abused her authority as a minister of the crown by making threatening and intimidating remarks at the meeting described above."

I also join by signing my name.

#### SUPPORT FOR WORKERS

**Mr Ernie Hardeman (Oxford):** I'd like to present a petition on behalf of 650 people living in and around Oxford county. The petition was brought to my attention by the Tillsonburg and District Association for Community Living, which feels it is unfairly and inequitably treated by the Ontario government. Although this petition was circulated in the community this past spring, it was not presented by the previous member due to the election and the subsequent closure of the Legislature. The petition reads:

"The Tillsonburg and District Association for Community Living wants your support in addressing the discrimination and inequities inflicted upon its workers by the Ontario government.

"We, the undersigned, petition the Legislative Assembly to intervene on behalf of the Tillsonburg and District Association for Community Living workers to aid in eliminating any further inequities and discrimination."

Again, this petition was signed by 650 people.

#### AMALGAMATION OF SCHOOL BOARDS

**Mr Frank Mclash (Kenora):** I have a petition that reads:

"To the Legislative Assembly of Ontario:

"Whereas the interim report of the Ontario School Board Reduction Task Force recommends the amalgamation of the Kenora Board of Education with the Dryden Board of Education and the Red Lake Board of Education; and

"Whereas the amalgamation of school boards in northwestern Ontario is not practical for operational and financial reasons because of the large distances between communities;

"We, the undersigned, petition the Legislature of Ontario as follows:

"To ensure the continuation of the present number of school boards in northwestern Ontario, except where local school boards and their communities, having evaluated the costs and benefits of amalgamation, request an amalgamation of their respective boards."

I've attached my name to that petition as well.

#### JUNIOR KINDERGARTEN

**Mr Peter North (Elgin):** I have a petition to the Legislative Assembly of Ontario. It reads as follows:

"We, the undersigned of Elgin county, beg leave to petition the Parliament of Ontario as follows:

"That junior kindergarten as it stands in the current public school system remain as a level of education for our children, governed by the provincial government.

"Therefore, we, the people of Elgin county, request that the House refrain from cancelling junior kindergarten as proposed by the current Harris government. We request that junior kindergarten remain as part of the public school system."

I've attached my signature thereto.

#### HIGHWAY CONSTRUCTION

**Mr David Ramsay (Timiskaming):** "To the Legislative Assembly of Ontario:

"Whereas the Ministry of Transportation has had 12.8 kilometres of Highway 11 between Temagami and south of Highway 64 turnoff reconstructed during April to October 1995; and

"Whereas the contractor for this project is Allan Cook Construction of Barrie, Ontario; and

"Whereas the condition of this highway during construction was deplorable and caused considerable damage to vehicles driving north and south along this 12.8 kilometres of Highway 11 and the lack of maintenance during the construction period caused an unsafe environment for vehicle traffic from the south and north who had to use Highway 11, as it has been the only route for residents, businesses and tourists; and

"Whereas the length of time for this construction to be completed was too long a time frame and being the months of April, May, June, July, August and September 1995 afforded the most favourable weather for the necessary construction work to be completed;

"We, the undersigned, petition the Legislative Assembly of Ontario to disallow a similar situation of road construction to occur in the future and to guarantee a safe and good passable roadway during any further road construction for the residents of northern Ontario, transportation vehicles of goods and services, and tourists to and from northern Ontario."

Now I'll affix my signature to this.

#### TAX REDUCTION

**Mr David Turnbull (York Mills):** I have a petition for the Legislative Assembly.

"We, the undersigned, request the Legislative Assembly of Ontario not to approve any tax cuts until the causes of poverty and unemployment in Ontario are dealt with and in fact until the province's debt and deficit are paid down."

I do not agree with this petition; however, I'm presenting it.

#### CHILD CARE

**Mr James J. Bradley (St Catharines):** This petition is addressed to the Legislature of Ontario. It reads as follows:

"The governments at provincial and regional levels are threatening cuts to child care programs. We see child care



as an essential service to the community. A reduction in subsidized child care programs would result in unaffordable and unavailable child care, causing higher levels of unemployment and welfare dependency."

I affix my signature to this petition as I'm in agreement with its contents.

#### HOSPITAL RESTRUCTURING

**Mr Mike Colle (Oakwood):** I have a petition from people of my riding of Oakwood in support of Northwestern General Hospital.

"To the Legislative Assembly of Ontario:

"Whereas the Metropolitan Toronto District Health Council hospital restructuring committee has recommended to close Northwestern General Hospital and merge all programs and services with Humber Memorial Hospital on Humber's site;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the recommendation of the Metropolitan Toronto District Health Council to close Northwestern General Hospital be rejected by the government of Ontario and that it keep Northwestern hospital open" forever.

#### HIGHWAY SAFETY

**Mr Frank Miclash (Kenora):** I have a petition to the Legislative Assembly of Ontario which reads:

"Whereas the Minister of Transportation is intent on reducing northern winter road maintenance services; and

"Whereas such downgrading places the lives of northern residents at undue and unnecessary risk;

"We, the undersigned, petition the Legislative Assembly of Ontario to disallow these reductions in service and to guarantee that winter roads across the northern regions of the province receive the necessary maintenance to ensure the safe passage of drivers."

I've attached my name to that petition as well.

**Mr David Ramsay (Timiskaming):** "To the Legislative Assembly of Ontario:

"Whereas the Ministry of Transportation is intent on reducing northern road winter maintenance services; and

"Whereas such downgrading places the lives of northern residents at undue and unnecessary risk;

"We, the undersigned, petition the Legislative Assembly of Ontario to disallow these reductions in service and to guarantee that winter roads across the northern regions of the province receive the necessary maintenance to ensure the safe passage of drivers."

I'll affix my signature to this.

#### JUNIOR KINDERGARTEN

**Mr Peter North (Elgin):** I have a petition to the Legislative Assembly that says:

"We, the undersigned of Elgin county, beg leave to petition the Parliament of Ontario as follows:

"That junior kindergarten as it stands in the current public school system remain as a level of education for our children, governed by the provincial government.

"Therefore, we the people of Elgin county, request that the House refrain from cancelling junior kindergarten as proposed by the current Harris government. We request

that junior kindergarten remain as part of the public school system."

I've attached my name thereto.

#### CHILD CARE

**Mr Mike Colle (Oakwood):** I have a petition to the Legislative Assembly of Ontario.

"Whereas high-quality child care contributes significantly to the healthy development of all children;

"Whereas research has proven that good wages and working conditions for early childhood educators are a key factor in high-quality child care;

"Whereas the best child care system is one that is accessible, affordable and regulated for quality; and

"Whereas recent cuts to child care will destabilize the entire child care system in Ontario;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That all public funding be restored for child care, including subsidies, capital funds, operating grants and all-day junior kindergarten pilot programs;

"That all existing commitments regarding wage subsidies, pay equity grants and any other funding programs and/or policies that help to stabilize high-quality child care for children and their families in the province of Ontario be retained; and

"That public hearings be held as part of the child care services review process."

I attach my signature to this petition and I support it.

#### REPORTS BY COMMITTEES

##### STANDING COMMITTEE

##### ON REGULATIONS AND PRIVATE BILLS

Mr Smith from the standing committee on regulations and private bills presented the following report and moved its adoption:

Your committee begs to report the following bill as amended:

Bill Pr9, An Act respecting the City of Brampton.

Your committee begs to report the following bills without amendment:

Bill Pr11, An Act respecting the Waterloo County Board of Education

Bill Pr12, An Act respecting the Canadian Niagara Power Company, Limited.

**The Speaker (Hon Allan K. McLean):** Shall the report be agreed and adopted? Agreed.

#### INTRODUCTION OF BILLS

##### SAVINGS AND RESTRUCTURING ACT, 1995

##### LOI DE 1995 SUR LES ÉCONOMIES ET LA RESTRUCTURATION

**Hon David Johnson (Chair of the Management Board of Cabinet):** On behalf of the Minister of Finance, I move that leave be given to introduce a bill entitled, An Act to achieve Fiscal Savings and to promote Economic Prosperity through Public Sector Restructuring, Streamlining and Efficiency and to implement other aspects of the Government's Economic Agenda / Loi visant à réaliser des économies budgétaires et à favoriser la prospérité économique par la restructuration, la rationa-

lisation et l'efficience du secteur public et visant à mettre en oeuvre d'autres aspects du programme économique du gouvernement, and that it now be read the first time.

**Mr Tony Silipo (Dovercourt):** On a point of order, Mr Speaker.

**The Speaker (Hon Allan K. McLean):** There's nothing out of order.

**Mr James J. Bradley (St Catharines):** On a point of order, Mr Speaker.

**The Speaker:** There's nothing out of order. I have a motion before me. Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

**Mr Silipo:** On a point of order, Mr Speaker.

**The Speaker:** Call in the members; it will be a five-minute bell.

**Mr Silipo:** Mr Speaker, you have to recognize—

**The Speaker:** There is nothing out of order. We've had a motion. We have voted on it. There's nothing out of order.

*The division bells rang from 1504 to 1509.*

**The Speaker:** Mr Johnson has moved first reading of the bill.

All those in favour will please rise one at a time.

#### Ayes

Baird, John R.	Hudak, Tim	Runciman, Bob
Beaubien, Marcel	Johnson, David	Sampson, Rob
Boushy, Dave	Jordan, Leo	Shea, Derwyn
Brown, Jim	Kells, Morley	Skarica, Toni
Chudleigh, Ted	Klees, Frank	Smith, Bruce
Cunningham, Dianne	Leach, Al	Sterling, Norman W.
DeFaria, Carl	Leadston, Gary L.	Stewart, R. Gary
Doyle, Ed	Marland, Margaret	Tascona, Joseph N.
Ford, Douglas B.	Martiniuk, Gerry	Tilson, David
Fox, Gary	Murdoch, Bill	Tsubouchi, David H.
Froese, Tom	Mushinski, Marilyn	Turnbull, David
Gilchrist, Steve	Newman, Dan	Vankoughnet, Bill
Guzzo, Garry J.	O'Toole, John	Villeneuve, Noble
Hardeman, Ernie	Palladini, Al	Wettlaufer, Wayne
Harnick, Charles	Parker, John L.	Witmer, Elizabeth
Harris, Michael D.	Pettit, Trevor	Wood, Bob
Hastings, John	Preston, Peter	
Hodgson, Chris	Rollins, E.J. Douglas	

**The Speaker:** All those opposed will please rise one at a time.

#### Nays

Bisson, Gilles	Cooke, David S.	North, Peter
Boyd, Marion	Duncan, Dwight	Pouliot, Gilles
Bradley, James J.	Hampton, Howard	Pupatello, Sandra
Castrilli, Annamarie	Kormos, Peter	Ramsay, David
Christopherson, David	Kwinter, Monte	Silipo, Tony
Churley, Marilyn	Marchese, Rosario	Wood, Len
Cleary, John C.	Martel, Shelley	
Colle, Mike	Miclash, Frank	

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 52, the nays 22.

**The Speaker:** I declare the motion carried.

Does the minister have a short statement?

**Hon David Johnson:** The Minister of Finance will be outlining some of the measures contained in this statement later this afternoon, measures pertaining to the systems and promotion of public sector restructuring.

**The Speaker:** Any further introduction of bills? There being no further introduction of bills, as previously agreed to, this House stands recessed until 4 o'clock this afternoon.

*The House recessed from 1512 to 1600.*

#### GOVERNMENT BUSINESS ECONOMIC STATEMENT

**The Speaker (Hon Allan K. McLean):** Could I have the indulgence of the House for a few minutes while the pages deliver the statement.

**Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader):** This statement is a report to Ontarians on actions to renew the province's economy and get Ontario back to work.

The people of Ontario have asked us to take on an important job: restoring confidence in this province as a place to live, to work and to do business.

The plan I am introducing today is an essential part of our program to renew Ontario.

Ontarians want jobs.

They want to see a more secure and prosperous future for their province and their children.

They want to see businesses that create jobs and opportunities here at home, while competing for markets around the world.

They want an economy that is freed from the burdens of red tape and overtaxation, where individuals have the opportunity and the means to set goals for themselves and their communities.

They want a sound and affordable health care system, and they want schools where their children learn.

They want their government to focus on the services that Ontarians value most, to deliver those services as efficiently as possible and to make changes when changes are needed.

Our government is committed to creating an Ontario of opportunity rather than dependence, where genuine need is met with compassion and support, and where government is a partner in change rather than an obstacle to it.

Since taking office, my colleagues and I have had to adjust to the reality of a fiscal situation that was worse than previously disclosed. We have faced an economic downturn that forecasters did not predict.

We have listened, and will continue to listen, to constructive advice from Ontarians on how to meet our government's objectives in the face of changing circumstances. Some of that advice is reflected in today's statement.

Yet even as we adapt to changing circumstances, we remain committed to the objectives that Ontarians have asked us to pursue.



To achieve these objectives, we must get Ontario out from under the burden of rising interest costs. That's why we are committed to stopping government overspending. That's why we are taking other steps to encourage people and business to invest here and to create worthwhile jobs.

The size of our debt, and the interest we pay on it, mean we have to act quickly.

The root of our debt problem is government overspending. As a result of the fiscal situation we have inherited, our government spends \$1 million more an hour than it takes in in revenues. I want Ontarians to think about that: \$1 million an hour more than we take in in revenue, 24 hours a day, 365 days a year.

We are determined to stop that. We have to stop that.

In the last 10 years, government spending has almost doubled, while the accumulated debt has almost tripled. And what do the people of Ontario have to show for it? Fewer jobs now than in 1989, higher unemployment and nearly three times as many people on social assistance as 10 years ago.

The experience of the past decade shows that overspending, high taxes and deficit financing do not create lasting jobs. In fact, they are barriers to job creation.

Over the past decade, previous governments financed some of their overspending by raising taxes. They raised taxes 65 times during those 10 years. Ontario's personal income tax rates are now among the highest in North America.

But these high taxes were not enough to cover government overspending. And so previous governments borrowed to fill the gap.

In the past 10 years our provincial debt has almost tripled. Soon it will exceed \$100 billion. This year we will pay close to \$9 billion in interest costs alone to service that debt. That is more than the province spends on all hospitals across the province of Ontario. It is more than we spend on all levels of education in the province of Ontario. In fact, it represents the entire expenditure of government in the province of Ontario in 1975.

Having to pay this much debt is crippling today and the interest is unsustainable tomorrow.

Right now, our interest bill alone translates into almost \$800 a year from each of us in the province—every man, woman and child. If interest continues to grow at the rate of the past five years, it will cost each of us about \$1,700 a year by the end of this decade, and that would translate into \$20 billion a year in interest costs alone.

We cannot allow that to happen. If Ontarians had to pay \$20 billion a year in interest costs alone, we could not possibly afford to educate our young people, take care of the sick and elderly and protect our communities.

Six provinces have brought their interest costs under control by balancing their budgets this year, but not the province of Ontario.

The only way to stop the growth of interest costs is to stop government overspending.

To do so means rethinking which services government should provide and how it should provide them. We need to focus government spending on the services we value

most. We need to restructure government and its agencies so that services provide better value for every tax dollar.

Making government more affordable and more efficient is not just good for our finances. It's good for jobs too.

I am releasing today an economic paper that provides the fiscal context of the coming year.

Ontario is emerging from the recession that took place in the first half of 1995. We now see signs of renewed economic growth. Exports are rising. Consumer spending has begun to increase.

#### 1610

Our projections for future years—which are deliberately cautious, and in fact are lower than the consensus of other forecasters—show that the Ontario economy will continue to strengthen. In real terms it is projected to grow by 2.1% in 1995, 2.3% in 1996 and 3.1% in 1997.

Inflation is projected to remain low, averaging around or just below 2%. Following a net increase of 72,000 jobs in 1995, employment is projected to rise by 81,000 jobs in 1996 and 100,000 jobs in 1997.

The economic outlook is prudent for planning purposes. But Ontarians deserve better.

For the past five years, our economy has not performed as well as those of the rest of Canada and the United States. While our export industries have expanded, household spending has been weak. Too many Ontarians are out of work. We have fewer people working today than in 1989.

Even Ontarians who are working have seen their standard of living fall. In real inflation-adjusted terms, the take-home pay of the average Ontario worker is lower today than it was in 1985. That is 10 years without a pay increase.

One of the major reasons why Ontarians are seeing less in their paycheques is the increase in Ontario's personal income tax rates. Ontario's income tax was hiked 11 times during the last decade. People who work every day to support their families have seen more and more of their hard-earned dollars go to pay higher and higher taxes.

Middle-income families, and those of modest incomes, have been especially hard hit by cuts in their take-home pay.

Ontarians deserve better. They deserve a plan that supports job creation. They deserve a plan that will stimulate the economy by leaving more money in the hands of hardworking, law-abiding, taxpaying Ontarians.

For too many years, the tax and regulatory environment in Ontario has frustrated job creation.

High personal income taxes have taken money out of consumers' pockets and have discouraged small businesses from investing and hiring.

Payroll taxes like the employer health tax and workers' compensation premiums have also worked against job creation. So have artificially high minimum wages, legislated job quotas and other government intrusions.

Uncompetitive tax rates have made it difficult for firms to attract and retain highly mobile, highly skilled workers who are key to competing successfully.

As a result, our entire economy has suffered. Despite a growing population, there are fewer Ontarians employed today than there were six years ago.

The Ontario economy can do much better, and if we set the right course, I believe it will.

Lower taxes, coupled with lower interest rates and continued low inflation, will return more dollars to Ontario consumers. Their spending and saving will provide a direct boost to private sector job creation.

Reducing the burden of government regulation and restoring the balance in labour-management relations will help businesses—especially small businesses—create jobs. Already our government has taken action, by repealing Bill 40, freezing average assessments for workers' compensation, introducing legislation to abolish the annual corporate filing fee, repealing job quotas, and freezing average Ontario Hydro rates for five years.

As promised in the throne speech, today we are launching a 12-month review of all regulations affecting businesses. Mr Frank Sheehan, the member for Lincoln, will lead this government initiative and will report directly to cabinet. By cutting red tape and eliminating any regulation of business that cannot be justified, the Red-Tape Review Commission will remove barriers to growth, promote economic prosperity, and create jobs.

By restructuring and streamlining government—providing the services that Ontarians value most, at a more affordable cost—we will end the job-killing effects of high deficits and high interest costs.

The first step towards a more affordable and efficient government is to have a realistic financial plan—a plan Ontarians can understand and in which they can have confidence.

In July our government introduced the Ontario Financial Review Commission. I asked them to look at ways to restore confidence and credibility to the province's financial reporting and planning practices, which in my opinion have been confusing and sometimes unrealistic.

The commission's report offers a new vision of how government should operate. It says that government should stop focusing on process, and instead set its sights on constant improvement in performance.

As the commissioners noted, some of their recommendations will require time to implement, but I have already decided to act upon several of the commission's most important recommendations:

—The commission said the province should adopt a single set of financial reporting standards for all of its budgetary reports and updates, by using the standards set out in the Public Sector Accounting and Auditing Board, PSAAB. I am doing so, effective today. I am ending the previous government's practice of keeping "two sets of books."

—The commission said the government should adopt a prudent planning framework, using cautious forecasting, to be certain that deficit targets are met. The plan I am outlining today does exactly that.

—The commission recommended that the government set three-year deficit targets. I agree—and in fact, today I am going further than this by providing deficit targets for the next five years.

—The commission said our budgeting should include a contingency fund to cushion against unforeseen economic circumstances. I will do so starting with the 1996 budget.

In taking these steps immediately, I want Ontarians to have confidence that their government's financial planning is open, realistic and credible. I will further address the commission's recommendations in the spring of next year.

As an additional step towards open and accountable government, I announced last week that we will require full public disclosure of salaries and benefits paid to senior employees in the public sector, starting with salaries for the 1995 calendar year. Taxpayers will have access to compensation data for each public sector employee who receives an annual salary of at least \$100,000 in a calendar year. This includes employees of the civil service, hospitals, universities, colleges, school boards, municipalities and other government agencies.

On taking office we found that the former government had chosen not to secure the necessary legislative authority for several tax measures announced in 1993 and 1994, even though those measures were implemented and have been in place in some cases for up to two and a half years. They affect taxpayers, primarily corporations, who have been filing returns while expecting in good faith that government would introduce the appropriate legislation. This situation is not acceptable and must be corrected.

To resolve this, legislation is needed to authorize these measures that the previous government implemented without seeking the necessary legislative sanction.

Let me turn to our financial plan for the current fiscal year.

Last June 26, our government inherited spending that was out of control. On a modified cash accounting basis, we faced a potential deficit of \$10.6 billion—with an even higher outlook for annual deficits in the foreseeable future.

On July 21, we took immediate action to reduce spending by \$1.9 billion in this fiscal year alone.

With these actions in place, our 1995-96 deficit remains on track at \$8.7 billion on a cash accounting basis. That is \$1.9 billion lower than the potential deficit we inherited five months ago.

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Using the province's new accounting basis, the deficit target for 1995-96 is \$9.3 billion. That again is \$1.9 billion lower than the potential deficit we inherited, which was \$11.2 billion on a PSAAB basis.

This new accounting recognizes a number of revenues and expenditures that are not new but that historically have not been shown as part of the province's budget—for example, the expenses of certain crown corporations and agencies, the cost of pension liabilities as they accrue and the full cost of public debt interest incurred each year.

In addition, under the province's new accounting, this year's deficit will reflect certain investments made by former governments that have not yet been written off, and accrual adjustments such as provisions for loan losses



from the Ontario student assistance program and the Ontario development corporations. It will also include any onetime costs incurred when programs are cancelled and any commitments to severance payments that are made this year. These items will be added to the planned deficit target of \$9.3 billion once their amount has been determined.

By converting to the PSAAB financial reporting standard, we are giving Ontarians a fuller and more realistic picture of the financial problems that their government has been experiencing for many years. This is an essential first step forward towards dealing with our problems while protecting Ontario's taxpayers.

The best taxpayer protection is a balanced budget.

Having taken these first major steps to put the province's financial reporting in order, I am setting out today a balanced budget plan for Ontario.

This plan is based on deficit reduction targets for the next five years as provided for in the Common Sense Revolution document.

Even though our reported deficit this year will be \$600 million higher under our new accounting system, we have not changed our plan to balance the budget and we have not changed the balanced budget targets that will get us there. We said we would do it, and we are doing it.

With this plan in place, Ontario will have a balanced budget in five years. Balancing the budget will not be easy, but it is essential.

It will help get Ontario's public debt interest costs under control.

It will protect taxpayers from never-ending tax increases.

On behalf of all taxpayers, let me say clearly: Ontarians have had enough of high personal income taxes.

That's true for Ontario's income taxes and it's true for the federal government's as well. It is time for both levels of government to reduce the burden of personal income taxes and help the economy create more jobs.

Balancing the budget means we must rethink how governments and government agencies at all levels do business.

Since taking office, my colleagues and I have begun a thorough review of every area of government spending. That means reviewing literally hundreds of government spending programs.

For every program, we are asking, is it in the public interest? Does it help or hinder job creation? Is it fair and equitable? Is it well managed?

We have identified areas where government can spend less through smarter management. We have identified areas where there is simply no reason for government to be spending at all.

Governments have tried to be all things to all people. For example, should the province of Ontario have signed an agreement in June of this year to provide a \$5.5-million research grant to the Ontario Federation of Labour? To serve people properly, government must focus on its priorities.

We have not yet finished our review. But we have already agreed on the following new measures to cut

government spending by focusing on what is important to Ontarians.

We will begin by putting our own house in order. The government will ask the Legislature to approve funding reductions averaging at least 20% next year for the offices of the Legislative Assembly. This measure will save at least \$27 million annually.

We are setting cost reduction goals that will aim to reduce the cost of internal government administration by 33% by the end of 1997-98, saving \$300 million a year. Over the next two years, we will cut costs further in every ministry through better management and reduced overlap and duplication. For example:

—Almost every one of the government's 18 ministries has its own financial data system, its own information technology system, and its own personnel database. We will determine how to consolidate these systems to reduce duplication and save taxpayers money.

—We will create partnerships with private businesses, and open our administrative operations to outside competition, where this can save taxpayers money, while protecting privacy and the public interest.

The government has set a target of cutting other internal spending by an average of 33% to achieve an annual saving of \$1.1 billion by the end of 1997-98.

We will do so by restructuring, closing some operations and making other operations more efficient. Some immediate examples:

—Funding for land registry offices will be cut to reflect reduced workloads, saving \$2 million next year and an additional \$2 million in 1997-98.

—Overhead costs in the Ministry of Economic Development, Trade and Tourism will be cut by \$10 million annually as business assistance programs are terminated.

—The Ministry of Finance will develop a comprehensive plan to reduce abuse of the tax system and improve overall tax compliance. Taxpayers who abide by the law should not subsidize those who break the law. As a first step, 50 positions from within the ministry will be reallocated to tax auditing.

As promised in the Common Sense Revolution, the government will permanently cut \$230 million in grants and loans to business in 1996-97. To help achieve these savings, over 30 programs across six ministries will be ended. The government will take immediate steps to phase down the operations of the Ontario development corporations in respect of new loans and loan guarantees.

The government will support business by providing a positive business climate with competitive taxes, responsible fiscal management, and fewer barriers to investment and growth.

The government has set a target of reducing funding for agencies, boards and commissions by 28%, to achieve an annual saving of \$220 million a year by the end of 1997-98. To date, we have made the following decisions:

—The operating subsidy for the Ontario Northland Transportation Commission will be reduced by \$6 million next year and an additional \$4 million in 1997-98.

—Funding for the Ontario Arts Council will be reduced in 1996-97 by 19% from current levels.

—Funding for the Ontario Science Centre, Science North, the Royal Ontario Museum, the Art Gallery of Ontario, the McMichael Canadian Art Collection and the Royal Botanical Gardens will be reduced from current levels by an average of 7% next year.

—Funding for the government-funded radio station CJRT-FM will be eliminated next year, saving over \$1 million.

—Funding for the Ontario Energy Board, the Niagara Escarpment Commission, the Environmental Appeal Board and the Environmental Compensation Corp will be reduced by an average of 15% next year, saving an additional \$1 million.

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As promised in the throne speech, the Management Board of Cabinet will undertake a detailed review of agencies, boards and commissions. Mr Bob Wood, the parliamentary assistant to the Chair of Management Board, will lead this initiative.

We have set a goal of cutting total funding for government grants by 28% over the next two years, saving \$1.4 billion annually by the end of 1997-98. Already we have decided on the following reductions:

—The Jobs Ontario Community Action program will be terminated, saving \$82 million next year and \$88 million in 1997-98. This program was badly designed, its objectives were unclear, and oversight and cost-control requirements were inadequate. The Provincial Auditor has also criticized this program extensively in his recent report.

—An array of environmental and energy grants will be eliminated, saving \$24 million next year.

—Capital subsidies for GO Transit will be reduced by \$20 million annually.

—Grants to municipal airports will be reduced by \$4 million next year and an additional \$5 million in 1997-98.

—Grants provided by the Ministry of Citizenship, Culture and Recreation to cultural organizations, including arts and heritage groups, local festivals, library agencies and funding for community information centres, will be reduced or eliminated to achieve an average saving of 18% from their current levels. This measure will save \$5 million next year.

—Grants for sports and recreation groups and associations will be reduced by an average of 15% from current levels, saving \$3 million annually, beginning in 1996-97.

The actions I have outlined, coupled with ongoing savings from measures announced in July and further decisions to be taken during the estimates process, will mean significant reductions in government spending over the next two years. But they are not enough.

Almost 70% of the government's total spending is transferred to agencies and individuals outside of government, including municipalities, school boards, universities, colleges, hospitals and many smaller agencies.

*Interruption.*

**The Speaker:** Order. Please remove the stranger.

**Hon Mr Eves:** Ontarians will be aware that the federal government's support for some of the largest

transfer programs is declining. Over the next two years, federal contributions to Ontario for health, higher education and social services will decline by \$2.2 billion from this year's level.

In recent weeks I have met with leaders from our major transfer partners. They impressed on me the need for action. They told me that, just as the government is restructuring internally, their institutions are restructuring as well, focusing on the services that Ontarians value most and finding ways to provide those services more affordably. They told me they need additional tools to assist them in their restructuring efforts.

To help them prepare, today we are giving our transfer partners early notice of transfer levels for the 1996-97 fiscal year. We're also giving them additional flexibility to introduce innovative solutions that will help them to meet the challenge.

In response to requests from groups representing our major transfer partners, legislation is required to guide interest arbitration awards. These guidelines are intended to ensure that arbitrated wage settlements are in step with the province's fiscal situation and our transfer partners' ability to pay.

Municipalities have asked for greater flexibility to set priorities and to restructure.

—To assist them, we will convert three existing programs into a single block fund: the Ontario municipal support program. This new arrangement will free municipalities to pursue innovation by eliminating the restrictions of current programs.

—They have also asked the province for flexibility to help reduce overlap and duplication among municipalities and between upper- and lower-tier local governments. We will give them that flexibility.

—They have asked the province to reduce barriers that prevent them from offering services on a cost-recovery basis. We will reduce those barriers.

Funding for the Ontario municipal support program will total \$1 billion in 1996-97. This is a reduction of \$290 million from current levels, equal to 2% of the municipalities' current total revenues of approximately \$16.8 billion. The distribution of the block grant will be designed to make spending reductions fair for municipalities.

**Mr Mike Colle (Oakwood):** Tell the truth: 44%.

**The Speaker:** The member for Oakwood is out of order.

**Hon Mr Eves:** The government believes that, by using the tools and flexibility asked for, municipalities can adjust to these reductions by restructuring their operations, and without increasing local taxes.

In 1997-98, the funding for the Ontario municipal support program will total \$736 million. That is a further reduction of \$262 million, equivalent to another 2% of municipalities' current spending.

Grants for municipal recycling will be phased out over two years. Operating grants to municipal public libraries will be reduced by \$6 million next year and an additional \$6 million in 1997-98.



Operating funding for conservation authorities will be reduced from \$18 million this year to \$10 million in 1997-98, and capital grants will be phased out.

Provincial support for the operation of municipal transit will be reduced from \$242 million this year to \$218 million next year. Funding of \$194 million will be provided in 1997-98. Funding to municipalities for specialized transit services for people with disabilities will be maintained at current levels.

These measures create the opportunity for local governments to become more streamlined, more autonomous, more accountable to the local ratepayer, and less expensive. Ontarians expect to see their local governments work better and cost less.

Our government is committed to ensuring that a larger share of the education dollar goes to the classroom, preparing Ontario's students for the future.

Our school system is well funded. In fact, Ontario's school system cost 10% more per pupil than the average of the other provinces in Canada in the fiscal year 1994-95. That is an additional \$1.3 billion a year in extra spending. But even with this level of extra spending, Ontarians do not have the school system they want:

—Our schools should be providing students with greater equality of opportunity, through funding that is shared fairly across the province.

—Parents should have more effective opportunities to become involved in their children's education, through local school councils.

—Parents should be able to see what their children are learning, through tests that measure results against clear standards.

—The importance of good teaching should be recognized throughout the school system.

—And our schools ought to be making more effective use of new technologies to educate students better and to manage more productively.

Over the coming year, the Minister of Education and Training will work with the education community to make the school system more effective, more equitable, more accountable and less expensive.

—We will ask school boards to take every reasonable step to cut costs outside the classroom. These costs now account for at least 30 cents of every education dollar spent.

—We will work with school boards, teachers and parents to improve productivity in the schools.

—We will continue to work with the education community on a new financing formula that will distribute school funding more equitably.

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As set out in the Common Sense Revolution, next year we will reduce transfers to school boards by \$400 million. This figure is equal to 3% of the \$13.8-billion total cost of operating Ontario's schools.

The Ministry of Education and Training will ensure that this reduction is equitably achieved. The government fully expects boards to meet this reduction by cutting costs outside the classroom, and without increasing the tax burden on local ratepayers.

Reductions in transfers to school boards for 1997-98 will be announced as early as possible next year.

In 1996-97, transfers to universities will be \$1.5 billion, a reduction of \$280 million. Transfers to colleges will be \$689 million, a reduction of \$120 million. The total reduction for provincial funding for post-secondary education will be \$400 million—equivalent to 7% of total expenditures by colleges and universities in Ontario.

Tuition fees for colleges will be able to be increased by up to 15% and universities by up to 10%. University tuition will be further deregulated by allowing universities the discretion to increase fees by an additional 10%.

**Interjection:** That's 25%.

**Hon Mr Eves:** It isn't 25%, and it's no wonder they're over there.

The ministry will work with colleges and universities to deregulate foreign student tuition fees as quickly as possible. Institutions will be required to set aside 10% of any new revenues from tuition increases for the purposes of providing assistance to students in financial need. I suppose they're opposed to that too.

As promised in the Common Sense Revolution document, the government is now pursuing a review of the current student assistance program. Ontario will seek the federal government's assistance to develop a student aid plan in which repayment reflects income after graduation, a measure long overdue.

The minister will release a discussion paper in the new year on future goals for Ontario's colleges and universities. The paper will address issues such as student and provincial shares of post-secondary funding, accessibility, and program rationalization and cooperation. A four- to six-month consultation process will be undertaken to assist in developing a new framework for government policy on post-secondary education. The minister will be providing further details shortly.

Despite the need to reduce overall spending, our government remains committed to protecting our health care budget.

This is not a commitment to maintain the status quo. We need to find savings in some areas in order to meet needs in other areas, for example, to provide new technologies, to reduce waiting lists and to meet the needs of an aging population.

By acting to reduce spending on some health programs and reinvest in others, we will ensure that total health care spending at the end of our term of office is protected at no less than \$17.4 billion, the same level as when the Common Sense document was published. That was our commitment, and we are living up to it.

Already our government is taking steps to reinvest health dollars where they are needed most:

—An additional \$25 million is being reinvested in kidney dialysis services.

—\$15.5 million is being reinvested in expanding emergency paramedic services, providing training to almost 400 paramedics across the province.

—OHIP coverage for out-of-country emergency services has been restored under the Canada Health Act.

—We are planning to reinvest additional funds to permit patients with acquired brain injuries to be treated here in Ontario rather than in the United States, as has been the past practice.

—Extra funding will be reinvested to expand immunization programs. The Minister of Health will provide further details.

In the throne speech, we identified other priority areas for reinvestment. We need to improve access to care for northern and rural Ontarians who face the reduction or loss of hospital emergency room coverage. We have to do more to coordinate, streamline and better integrate the delivery of cancer care services.

We have to make these reinvestments possible. We must begin by finding additional savings in the existing health care budget. Institutions must restructure and programs must be redesigned to provide better value.

When it comes to restructuring, Ontario's hospitals have been leading by example. They are treating more patients each year. They are redirecting more dollars to front-line patient care and they are providing the type of care that is most appropriate to each patient.

Hospitals must continue to restructure. The former government closed 6,700 acute-care beds over the past five years. That is the equivalent of 30 medium-sized hospitals, but of course 30 medium-sized hospitals were not closed. That has left a hospital system that is in many ways inefficient and hard to manage.

Like all of Ontario's public institutions, hospitals must continue to make improvements in providing services efficiently, effectively and economically.

To have the flexibility to meet priority health care needs, the government will redirect funds from hospital transfer payments. We will provide hospitals with a three-year funding plan, as they asked, so they can plan for the future with certainty. We will give them the tools they have asked for in order to adapt.

Funding in 1996-97 will be constrained by \$365 million—equal to about 4% of the hospitals' total revenues of approximately \$8.5 billion. The amount of the constraint will increase by \$435 million in 1997-98 and an additional \$507 million in 1998-99.

To assist hospitals to restructure further, the Minister of Health will establish a Health Services Restructuring Commission to manage and accelerate the implementation of hospital restructuring regionally and locally.

Hospitals will be given more flexibility to generate revenues, while continuing to comply fully with the Canada Health Act.

To reduce hospital administration costs, the Ministry of Health will simplify approval processes.

The government will also take steps to address the long-standing problems with the delivery of physicians' services. We will ensure a fair distribution of doctors between urban and rural areas, and we will weed out fraud in the health care insurance plan. In addition, taxpayers will no longer be asked to pay for doctors' malpractice insurance, saving \$40 million a year. The national physician malpractice insurance plan has a surplus in current account of approximately \$1 billion.

The government will take steps to control the cost of the Ontario drug benefit plan, which has more than tripled in the past 10 years and now stands at \$1.2 billion a year. Effective June 1, 1996, people receiving drug benefits will be asked to share the cost, as they do now in other provinces. Social assistance recipients and seniors receiving guaranteed income supplements will be asked to make a copayment of \$2 per prescription.

1650

**Mrs Elinor Caplan (Oriole):** That's outrageous. What was it you promised? No user fees.

**The Speaker:** The member for Oriole is out of order.

**Hon Mr Eves:** Beneficiaries of the Ontario drug benefit plan with individual incomes exceeding \$16,000, or with family incomes exceeding \$24,000, will be asked to pay a deductible of \$100 per year and to pay the pharmacist's dispensing fee. These measures will save \$225 million annually.

**Mr Dominic Agostino (Hamilton East):** Isn't that a user fee, Mike? I guess you'll be resigning tomorrow.

**The Speaker:** The member for Hamilton East.

**Hon Mr Eves:** Our government has a responsibility to work with public institutions to assist them in becoming more efficient. We are living up to that responsibility.

At the same time, I ask Ontarians to consider what they can do directly to support health care, community services, education and cultural institutions in their communities. Each of us has an opportunity to make a difference by volunteering our time, our skills, our financial support. Together, Ontarians can give back to their communities far more than the government can provide alone.

In response to a number of requests, I will introduce legislation to make it easier for certain public institutions to solicit major charitable donations.

Public hospitals, public libraries, the Ontario Cancer Treatment and Research Foundation, the Ontario Arts Council, the Royal Ontario Museum, the Art Gallery of Ontario, the Ontario Science Centre and the Royal Botanical Gardens will be permitted to establish crown foundations.

Universities, colleges, the Ontario Heritage Foundation, the Trillium Foundation, Science North and the McMichael Canadian Art Collection will continue to have the right to receive gifts to the crown, as they do at present.

The actions announced in this statement, coupled with the permanent savings from measures announced on July 21, will achieve total savings of approximately \$4.5 billion to \$5.5 billion in the fiscal year 1996-97. Specific actions will be decided on during this year's review of ministry spending estimates to fully achieve these savings.

The experience gained in Windsor demonstrates that casino development can create jobs and provide a significant boost to the local community.

The government remains committed to holding a referendum in which the people of Ontario will decide on the expansion of casino gambling in the province.



To this end, we will ask a committee of the Legislative Assembly to examine options for holding referenda in Ontario. The first opportunity to hold a referendum in conjunction with an existing province-wide vote would be the 1997 local government elections.

In the meantime, the government will give Ontarians a further opportunity to evaluate casino development by allowing casino development in Niagara Falls. This initiative will test casino development in a world-renowned tourism destination that annually attracts more than 10 million visitors, most of them international.

Niagara Falls is the only community in Ontario where a referendum on the casino question has already been held, with 63% of area residents voting in favour of casino development within their municipality.

This new casino development is expected to create jobs in the Niagara region, as it has in Windsor, and to create \$375 million annually in provincial revenues.

With the Niagara Falls development in place, Ontarians will have the information on the impact of casinos in three different communities by the time a referendum is held.

The government remains committed to exploring the sale and privatization of government assets, where the private sector can manage these assets more efficiently and provide better service to the public. In keeping with this commitment, the government will soon announce a process for privatization, ensuring that initiatives meet the strictest criteria for protecting the public interest, and adhering to rigorous conflict-of-interest guidelines.

The plan I have outlined today is an essential part of the government's program for renewing Ontario, restoring prosperity, and creating jobs.

It begins the task of freeing Ontarians from the burden of rising government interest costs.

It paves the way for an economy with less red tape and lower taxes—where businesses can invest to create new jobs.

It faces up to the challenge of renewing Ontario's public services—working with our major transfer partners to focus on the services that Ontarians value most and to deliver those services more efficiently.

Most important, after a decade when Ontario has lost its way, the plan I am setting out today will put Ontario back on the road towards a more prosperous and secure society for everyone.

It is possible to get Ontario growing and creating jobs again—if we have a plan and stick to it.

Moving towards that goal will involve many changes to Ontarians. Change can have a human cost—our government understands that.

But we also understand the human costs of not changing, as previous governments have done. There is no easy solution. There is no time for delay.

For all of us who care about the social fabric of Ontario, who want to see more jobs for Ontarians, and who seek a better future for our children, the state of the province's finances must simply be addressed.

Ontarians understand that need. They understand. They have the will. And they can be confident that as we work together to carry out our plan, we are on the way to making Ontario once again a province of opportunity.

**The Speaker:** This House stands adjourned until 10 am tomorrow morning.

*The House adjourned at 1658.*

## ERRATUM

No.	Page	Column	Line	Should read:
31	1083	2	32	Ontario. Even Alberta, which is going through a de-Kleining

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of Ontario**

First Session, 36th Parliament

**Assemblée législative  
de l'Ontario**

Première session, 36<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Thursday 30 November 1995**

**Jeudi 30 novembre 1995**



Speaker  
Honourable Allan K. McLean

Président  
L'honorable Allan K. McLean

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# LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 30 November 1995

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 30 novembre 1995

*The House met at 1001.*

*Prayers.*

## PRIVATE MEMBERS' PUBLIC BUSINESS RENT REGULATION

Mr Bisson moved private member's notice of motion number 5:

That in the opinion of this House, the Government of Ontario should maintain a fair and equitable rent control program, similar to the present rent control system introduced by the previous New Democratic Party government which protected tenants from abusive landlords, rather than creating a market-based system that allows abusive landlords to gouge tenants, and leave tenants vulnerable to unfair rent increases.

**The Speaker (Hon Allan K. McLean):** The member has up to 10 minutes and each party will have 15 minutes after that.

**Mr Gilles Bisson (Cochrane South):** In this, the first 10 minutes, I'll try to go through this as quickly as I can. I think the issue is clear enough for most members in the province of Ontario.

Since the mid-1970s, first under the Conservative government of Mr Bill Davis and onwards to the Peterson government and then on to the Rae government, the province of Ontario as a matter of public policy has always recognized that in order to protect tenants from large rent increases that would have the effect of throwing a lot of people out of their apartments, the province needs to have a law in place in order to protect tenants from abusive situations with their landlords when it comes to rent increases.

Over a period of 20 years, governments sought, first, to introduce legislation under the Tory government and then strengthened it two successive times after, first under the David Peterson government and the accord with the NDP in 1985, where a number of modifications were made to the law, supported by this House, and then again in 1991-93, when final changes were made to the rent control legislation that provides for a fair and equitable system in the way we treat landlords and tenants in Ontario.

The reason I brought this motion forward is quite simply this: In the last provincial election, the Conservative Party, at the time the third party, and a number of its candidates were trying on a local level to reassure tenants that they would indeed protect tenants, that they would not take away our present system of rent control, that if they made any changes, they would ensure that those changes would reflect our current rent control system; that is to say, a system by which the government, through the Ministry of Housing, has a rent control registry and controls the amounts that rents could be increased.

As recently as this fall, there were some public musings on the part of the Minister of Housing, Mr Leach, that the government tends to want to go away from that particular policy. Case in point: An article appeared in the *Toronto Star* on November 24 entitled "Tenants Must Fight Increases: Leach." I just want to read a couple of things from this particular one.

"Ontario tenants who are upset with rent increases will probably have to appeal their case to the government 'as a last resort' once rent control is scrapped...."

That's a little different from what was being said during the election. In fact, there was no mention of scrapping rent control during the election, from Mr Leach especially, coming from a riding with a very high percentage of people living in apartment buildings. I dare say that if Minister Leach, the then Tory candidate, had tried to float that idea in his riding, I don't think the electorate would have sent him here to Queen's Park. Tenants in that riding especially, one of the highest-tenant ridings in the province, would not have brought him to this House.

It goes on to say, "Marketplace rent control will instead take 'the sledgehammer' out of the hands of tenants and provide a level playing field for landlords and tenants, Leach said."

First of all, there is no tough sledgehammer. The government is trying to make us believe that the current rent control system isn't working, and that is just not the case.

It goes on to say: "Though the Tory government has not said when rent controls will end, Leach said they'll be gone once he implements a tenant protection program to shield them from unfair rent increases. But he didn't specify how it will be done."

Our fear is that what we're going to go to is the system that existed in this province prior to the 1970s, with basically no protection for tenants, where the landlord would charge tenants the rents the marketplace could afford. In many cases—I wouldn't say all, because I don't want to alarm every tenant in the province—if the landlord is able to increase the rent because somebody is willing to pay it, the person who now holds that apartment would be put at risk over time because they would not be able to pay the increases and would have to vacate that apartment in favour of somebody who is able to pay higher rent. I think most members in this House would not want to see that happen, including the Conservative government.

Another article appeared in the *Globe and Mail* on November 24, and this is the scary part, really what triggered it, the Fair Rental Policy Organization of Ontario had a meeting which Mr Leach attended, and this is really what got the alarm bells going for me and a number of people present in the gallery in terms of what the minister is up to:



"The loudest applause at the annual meeting of the Fair Rental Policy Organization came when Mr Leach said he is going to amend the Landlord and Tenant Act—'one of the most unbalanced pieces of legislation I've ever seen'—to make it easier for landlords to evict tenants."

That's pretty strong wording, if you ask me.

It goes on to say, "My government is here to help you," Mr Leach began, and went on to promise that his ministry will stop interfering in their business and "let the private sector do what it does best—balance supply and demand." That sounds like marketplace, fairly clearly. "He said his government will ditch rent control because 'it's bad for landlords—and it's bad for tenants.'"

I'm here to tell you, it is not bad for landlords and it is certainly not bad for tenants. If you talk to most tenants in this province, they will agree that the present system of rent control is a system that does have balance and protects the rights of both the landlords and the tenants. Our party is prepared to take a look at the Landlord and Tenant Act to address some of the concerns of the landlords, but we're not prepared to start putting tenants in this province at risk by going to the kinds of draconian measures the minister is putting forward.

There is a number of other articles: "Rental Crisis Feared" was one that appeared in the Toronto Sun, that bastion of democracy in the city of Toronto. Even they thought, "Thousands of Torontonians will lose their homes if Ontario's Tory government removes rent controls...." Jeez, if the Toronto Sun says it's so, it must be. I have no other argument.

I'm coming down to about four minutes left, and I just want to point out a couple of things. During the last election, as I said, a number of Conservative members ran on platforms to support rent control, and I'm glad they did so, because I think all members in this House, especially those members but no matter what party they may come from, are here to advocate on behalf of their constituency. If you come from a constituency with a high tenant population, you certainly would be doing your job in trying to protect tenants. I want to call on a few of these people.

Mr Shea, who I see is in the House today, put out a little pamphlet during the last election. It's fairly clear. It says, "Protecting You: The Mike Harris new tenant protection policy will maintain rent controls for all tenants in rental units." It talks about rent control; it doesn't talk about going to a market-based system.

1010

Bill Saunderson, the Minister for Economic Development, Trade and Tourism, has even a stronger one. I would not be confused at all if I had a candidate in my riding present this leaflet. This is pretty clear support for tenant protection through the Landlord and Tenant Act.

It says: "Despite what you may be hearing from my opponents," I suppose the New Democrats and Liberals, "Mike Harris will strengthen rent controls, not cancel them." That's endorsed by his riding association.

I see there is strong support within the Tory caucus, including within cabinet. I welcome that support and certainly hope that the Conservative members here today

will endorse this motion to make sure we keep our rent control system in place.

I'd like to make another point. Another candidate in the last election, namely, Mike Harris, the now Premier, in a debate on CITY-TV on May 28 was very clear to the people of Ontario. I want to read what he said on that CITY-TV program, which was later quoted in the Star. Harris said, "Tenants would still be protected under a Tory government and rent controls would be set as they now are under rent control guidelines."

He talks about rent control; he does not talk about a market-based system. In fact, in response to my questions yesterday in the House and questions from the Liberal critic for Housing, the Premier did give us some assurances that he didn't want to leave tenants out in the cold. I certainly got the impression that he was at least willing to hear the case. I would imagine that in the end he will err on the side of caution and on the side of good judgement and common sense and make sure we keep in place rent control in the province of Ontario.

I just want to say another thing. After the election, Mr Saunderson was called to a public meeting by some 400 tenants in his riding in order to defend what they had been hearing through the rumour mill in regard to the government scrapping rent control. I'll just read a couple of articles very quickly:

"A Conservative Tory MPP was forced to defend his position on tenants' issues after his home riding constituents feared he'd changed his stand on the main platform that got him elected." This is about Mr Saunderson. He goes on to say, "I can tell you very sincerely there has been no discussion on rent control in the cabinet."

It must be so, because I know the member is honest and straightforward and would not want to mislead the House or the people in his riding.

"Saunderson went on to say he had not spoken with the Premier on rent control and accused the media of alarming the community by printing Harris's comments." I find it kind of ironic that the Tories would be worried about the media. Anyway, that's another thing.

Even the staunchest defender of capitalism, Mr David Turnbull, in a press release dated January 28, 1993, showed some of the tactics that can be used by landlords if we don't have proper control. He talks about a situation in his riding where a landlord was trying to evict a number of tenants, and this is what the person reverted to:

"On January 8, 1993, pressure tactics escalated when the owners hired two heavyweight champs to force tenants to leave. One of the boxers had reportedly admitted that the owner agreed to pay him 'a thousand bucks' for each occupant he persuaded to leave the apartment."

I think that speaks volumes about why we need to have—

**The Speaker:** The member's time has expired. Further debate?

**Mr David Tilson (Dufferin-Peel):** I'd like to make a couple of comments with respect to this resolution this morning. It really gets to the crux of the whole housing policy for the last decade.

The housing policy for the last decade has been, without question, an absolute mess. As the member for Cochrane South has mentioned, there have been abuses by landlords. There have been some terrible scenes by landlords. All we had to do was to sit through some of the scenes that occurred during the two rent control bills that went through this place and the stories of tenants that came forward.

There are also abuses of tenants. In my view, the Landlord and Tenant Act goes too much in favour of the tenants, specifically with respect to evictions. There are tenants who abuse the process, so there are abuses on both sides.

The whole issue of rent control, which is the crux of the member's resolution, I believe, together with the non-profit housing philosophy, has created an absolute slowdown, in fact a stop, with respect to the construction of housing development in this province. There has been none, very little. With the exception of the construction of non-profit housing buildings, government-constructed buildings in this province, there has—

**Interjection:** Yes, there has.

**Mr Tilson:** Well, you name one. I'd like anyone in this place to name substantial private development of apartment buildings in this province in the last decade. And why hasn't there been? Because it's impossible for landlords to make a dollar in this province. So naturally, the government has felt that it should get into the housing market and it did get into the housing market. The NDP government got into it very heavily and we learned a lot about non-profit housing and rent controls through some of the hearings with respect to non-profit housing.

The auditor has spent considerable time dealing with this issue, criticizing the government's philosophy and policy of non-profit housing. This was dealt with in the public accounts committee. Some of the members of this House—I sat on that committee through a number of hearings and we spent a great deal of time on that philosophy.

So both of these philosophies blend together: the whole issue of non-profit housing and the whole issue of rent control, and it hasn't worked. It hasn't worked. We're still—

**Mr Bisson:** It hasn't?

**Mr Tilson:** It has not worked. We're still hearing problems from tenants who are complaining about landlords. Why? Because the system is not working. I can tell you that I have tenants speak to me who complain about abuses by landlords. The housing stock in this province—there has been none. They're starting to fall apart, and why are they starting to fall apart? Because there's no way of fixing them; there's no way of fixing them whatsoever.

I will not be supporting the resolution and I would encourage members of this House not to support the resolution. This government has a concern for the tenant and there have been questions put by the opposition—I believe the member has put questions of Minister Leach—with respect to rent control. Minister Leach has said that this government will be putting forward a tenants' protection act. He has said that; he has said that

over and over in this House and outside this House. At that time, he will be repealing the rent control laws, which have proven draconian, haven't worked and are causing great problems with this province. That's what he said. But what you forget to talk about in your resolution is that the government will be protecting the tenant. We will not withdraw rent control legislation until we have a tenants' protection act in place.

The current legislation is complex. Have you ever tried to look at that stuff and the myriad of regulations? Well, if you have looked at it, I don't know about you, but I find it unbelievably confusing; I find it that. I'm just an average guy and I'm sure that tenants and landlords around this province find it unbelievably confusing as well.

I think the real problem with the current legislation is that it has eliminated the private sector from rental production and ushered in the vacancy rate scares of the 1980s. That's what it's done, and I can tell you—

**Mr John R. Baird (Nepean):** That hurts tenants.

**Mr Tilson:** Exactly. Someone has said it hurts tenants, and it does hurt tenants. It hurts tenants; it hurts landlords; it hurts the economy of this province. I know that the NDP government in particular tried to solve the problem, but what it did was make things worse. Government doesn't have the ability to take over the whole housing market, and that was your plan. That was the grand plan. When Mr Rae first became Premier he was interviewed by, I can't remember his name, a socialist housing advocate and he was quoted in this House many times. Maybe he's here today; I don't know. His intention was to take over the housing market, and you can't do it. That's why we're broke in this province. That's why we're spending money we don't have.

When you invested in non-profit housing it generally cost double what it cost for private enterprise to put forward. They had consultants; they had lawyers; they had architects coming out of their ears. You don't need all those people to develop housing, and that's what the government got into.

We intend to eliminate all that. We have eliminated the issue of non-profit housing. There's no more non-profit housing that's going to be built by this government. That's come to an end, and we are going to end rent control, but we're going to introduce a bill which will be called the tenants' protection act or something similar to that. The minister has indicated that. There will be a comprehensive policy set forth in this legislation which will be in favour of a simple market-based policy which will treat landlords, tenants and taxpayers fairly.

That's what the previous Liberal and New Democratic governments have failed to do with their rent control legislation. That's what they failed to do. We will have a system which will preserve the essential tenant protection in the Landlord and Tenant Act. You don't have that now. You don't have that protection. It will be a far less restrictive regulatory system that will encourage the supply of new, private rental housing. That's what we will be doing in this province in answer to your resolution. I recommend that everyone in this House oppose your resolution.



1020

**Mr Alvin Curling (Scarborough North):** I too welcome the opportunity to participate in this debate. Before I get into my colleague the member for Cochrane South's resolution, I just have to make some quick comments about my colleague the member for Dufferin-Peel.

I don't know if it's the mercury in his fillings that makes him have this absent-minded attitude about things. I think he forgot that it was the Tories that brought in rent control in this very haphazard way; that at one time they had to really scrap it, and the fact is that he's now saying it hasn't worked in the last 10 years. I think he also forgot that it was the Liberal Party which brought a comprehensive housing policy in on December 4, 1986, when we had landlords and tenants working together to bring about what we called Bill 51, although it did not solve everything.

But let me address my colleague the member for Cochrane South who has presented this resolution, which first I think I should read in order to emphasize it the proper way. It says, "That in the opinion of this House, the government of Ontario should maintain a fair and equitable rent control program,"—now, I have no problem with that; I have no problem and I'm sure my colleagues in the Conservative Party have no problem with that, but here is where it went all downhill—"similar to the present rent control system introduced by the previous New Democratic Party government which protected tenants from abusive landlords, rather than creating a market-based system that allows abusive landlords to gouge tenants, and leave tenants vulnerable to unfair rent increases."

Let me tell you what's wrong with that. This is a typical way of pitting one against the other, pitting tenants against landlords. As you can see, in December of 1986 what I had done as the then Minister of Housing, I brought landlords and tenants together and said: "Governments are too intrusive in all these situations. You tell us what we should be doing." All landlords and all tenants sitting on that board confirmed that and brought that bill forward.

The government of the day in 1990, the New Democratic Party government, interfered with that process, went in and tampered with that process and, the fact is, pitted landlords against tenants.

Now we arrive in 1995, and this government has arrived and started playing around with it and saying it's going to scrap rent control. But yesterday, as a matter of fact, in putting a question to the Premier, I was much encouraged by the fact that he talked about protecting tenants and not dismantling the whole thing, not throwing out the baby with the bathwater like he did with employment equity, like he did with labour reform. That's what he did with the Advocacy Act: "Let's throw everything out." But then he realized that the fact is that this matter must be dealt with, with landlords and tenants, in order to bring a reasonable matter forward and bring something that we can work with.

Let me tell you the villain in all of this. The real villain is the government. One of the greatest causes of

high rents is the taxes that are paid—or you want to call it hidden taxes—the property tax that is paid by people who are in residential units. They pay four to five times more than people in normal residences. That's where the cost is. If the government can just grab the bull by the horns and decide to address that issue of property tax, quite possibly the price will go down.

But this is not to say that this is the fault of landlords and tenants. I fully agree that landlords should be protected in the sense that with some tenants not paying their rents and destroying the property, they should be able to have some access in getting those tenants out. Also those tenants who have consistently been gouged, of course, by landlords, there should be some regulation, some protection that is there. Government has a role.

Let me just remind the member for Dufferin-Peel: Government never built one home. They just supplied the mortgages. Don't start saying all this about, "We're out of the construction business." They never did build anything, so don't start saying, "We're out of the construction business."

Government is there to protect those who are vulnerable in these kinds of conditions in the sense that there are people and regulations that must be put in place to protect them, protecting landlords and protecting tenants. Stop giving the people outside this kind of version that this is the case. It is not the case.

When you have bad administration, like all that the MTHA went through with and the bad administration on behalf of government, do not blame it on landlords and do not blame it on tenants. Governments must get their act together in order to bring affordable housing to all that. That is the situation itself.

When you brought in your rent control bill—that's the Conservative Party, Mr Speaker, you may recall—you were maybe at that time paying attention to them, but the fact is that they brought in rent control regulation. What happened? More flipping went on than anything else. It was disgraceful. It was utterly disgraceful.

I say to you, members, I will not be voting for this. I will not vote for any regulation that pits one against the other. I think we should have a proper regulation in itself, a protection for landlords and tenants in this province.

**The Deputy Speaker (Mr Bert Johnson):** The Chair recognizes the member for Riverdale.

**Ms Marilyn Churley (Riverdale):** Mr Speaker, you look very smart in your new suit.

*Applause.*

**Ms Churley:** That's enough; you're using up my time. Sit down.

**The Deputy Speaker:** Thank you. Those kinds of remarks will get you everywhere.

**Ms Churley:** I'm here to speak in support of my colleague's resolution before us today. I want to say to the Progressive Conservative Party, although I really hate to call this party, this government, Progressive Conservatives—if you look up in the dictionary and see what "progressive" means, I think we're way off base here, but that is indeed the name of this party. I want to say to the member for Dufferin-Peel, and I'm not going to try in

this speech right now to respond to all the myths that he came out with today to try to justify this government's scrapping rent control, a bill that was put in place to protect tenants, many of whom are sitting in the public gallery—I can tell you I asked the tenants, of which there are many in Toronto, in my riding of Riverdale if they thought this government should scrap the rent control that our government brought in, and they said no. I can assure you they're not all New Democrats; some of them are even Tories, and they gave a resounding no. They want to be protected.

What I'd say to the member for Dufferin-Peel is that he may have forgotten that under our bill any new rental units that were built were exempted for five years from the new rent control bill, so that cannot be used as an excuse for people being deterred from building new low-rental housing. That's nonsense. It's just perpetuating the kinds of myths around affordable social housing and rent controls.

I want to tell the members here today why I support this resolution, why I supported our government going ahead with, again, extensive consultation with all sides of the issue and trying to find a solution that would stop the gouging in many cases of tenants in buildings who are on fixed incomes—seniors on fixed incomes, people of low incomes, single moms trying to support their kids in these buildings—who were facing double-digit increases. This was not uncommon under the old laws, not uncommon at all. These people were facing double-digit raises in their rents. They couldn't afford it.

Furthermore, if they wanted to appeal those rents, the waiting list could be so long that that they would have to wait months and months to be heard. Then if they lost, that would be retroactive. So many people were thrown out of their homes.

1030

It's very clear that that kind of system is not fair. Once again, we are talking about real people here. As we get up in different parties and argue the merits of this system over that system over this system and try to one-up each other as parties, "We can do a better job than you," I can assure you, Mr Speaker, in this House, when we're discussing these kinds of bills, let us bear in mind who we are talking about here. We are talking about some of the seniors who are here today who cannot afford to go back to the old system.

I agree with my colleague here. It sounds to me, despite what's been told to us today and despite what some ministers and other members of the caucus said in the election campaign, that in fact we really are going to be looking at going back to the pre-1970 market-driven system, and that we're very fearful about.

I heard the Minister of Economic Development, Trade and Tourism, in the debate on Rogers Cable, talking about not only not scrapping this, but if it were scrapped, our bill, his government would improve on tenant protection. There are a lot of people who believe that, and I want this government to commit to going forward and making sure that tenants are protected no matter what we do.

I have no doubt that this government is going to scrap this bill. I hope, and I would ask today, that you would consult with the many tenants out there, not just the landlords. We're talking today about rent controls. I want you to hear directly from the tenants about some of the things that happened to them under the old laws. I want you to talk to them about the pain that it has caused in their lives and why we went out, in our government, and talked to these people, and why they said they needed a better rent control system to protect them.

I'm very worried about what this government is doing in general around housing. There are all kinds of myths out there about social housing and how evil it is and how it hurts the economy and hurts people. Yes, there were problems, there were problems in some very small percentage, but those were the ones that were talked about and seen in the media, a very small percentage of existing social housing—very small.

The fact remains that government spends about \$2 billion a year, which is far more than it ever spent on social housing, putting money, subsidies for people of low income, directly into the landlords' pockets. That's already happening. What this government is talking about and is going to do is get out of social housing altogether, get rid of rent control and bring in a complete subsidy system.

How much money are we going to be spending, are taxpayers going to be spending, on directly subsidizing landlords to subsidize the rents of people who can't afford full rent when there are no rent controls? It could be a phenomenal cost, and I ask the people of Ontario to look very carefully at what it is that this government is going to be introducing.

I want to say a couple of words before I complete my remarks today about the Liberals' position. I also saw Lyn McLeod, the leader of the Liberal Party, in the Rogers TV debate with my leader, then Premier Bob Rae, and with Mr Harris, say very specifically that if she were elected, she too would scrap rent control.

When she was asked what she would do, she wasn't sure, but she'd try to balance for landlords and tenants. So I don't see what the big difference today is. I know that some Liberal members, to be fair, would not support her position on that, but after all, she is the leader and that's what she said she would do.

I'm disappointed that the Liberals are not supporting this resolution today. They might not like some of the wording, but certainly the member for Scarborough North, who just spoke, said in general he was in support but he just didn't like some of the wording.

I would ask the Liberals to reconsider because this is a very important bill to the tenants who are here today and in our communities. Bear in mind that we're talking about these real people who need protection and show some solidarity today with my colleague the member for Cochrane South and with our party to show the tenants that we're on their side, we're there to protect them from this government. As they make up their minds as to where they're going with this bill, we will be there for the tenants and we hope to have the Liberals on side with us.



**Mr Derwyn Shea (High Park-Swansea):** When I was told that the NDP member for Cochrane South would be presenting a resolution on rent control to this House, I was absolutely delighted. For years, as a member on both Toronto city council and Metro council, I worked to address the growing concerns of the large tenant population in High Park-Swansea.

My constituents are worried about poor maintenance and rents increasing while buildings crumble and a dwindling supply of private rental stock that has reduced their accommodation options to virtually zero. It has become increasingly clear that the root cause of these problems is the flawed approach to rent controls which the NDP brought us in 1992.

When I heard that my friend from Cochrane South was going to address that bill, I was pleased. As a veteran of the previous government, I reasoned, surely he had to be very familiar with the issues that are of chief concern to tenants today. I was wrong—wrong and bitterly disappointed. He is obviously out of touch with the real world in which tenants today are living.

I assumed he would offer constructive suggestions on how to deal with deterioration of rental housing. You know, almost two thirds of Ontario's rental stock is more than 25 years old. Much of it is falling apart. I also assumed he would have had a solution to the problem of poor building maintenance.

I hoped he would address the expensive, unfathomable and protracted landlord-tenant dispute mechanism. That system serves no one well. It takes, on average, four months for a dispute to be settled; and if a tenant loses, he or she has to pay retroactive rent increases.

Since my friend from Cochrane South knows that tenants pay a hidden property tax through their rents, I also expected him to examine the assessment system. It forces tenants to pay an unfair share of the tax burden. On that issue, his resolution is silent.

I dared to hope this resolution would address the issue of development charges. Those construction fees are hidden in rent payments. They can drive private investment dollars which could be used to build new apartments out of the industry or, worse yet, they become rolled into unnecessarily higher rents.

I even dared to hope that he might at least speak to the administrative costs incurred under the current rent control system. We spend \$28 million on it every year, and my friend failed to ask whether or not tenants are really getting their money's worth.

Tenants fear for their personal safety as they walk through poorly lit garages. Security in many buildings is simply not adequate, and the current law leaves landlords with very little incentive to help.

Does this resolution address any of these concerns? I think not. We could be discussing how to get away from subsidizing bricks and mortar and instead offer shelter subsidies to those most in need. Such reforms don't seem to interest the third party any longer.

The member for Cochrane South calls on the government to protect tenants from abusive landlords and unfair rent increases. I applaud that. It was Bill Davis's goal when the Residential Premises Review Act was intro-

duced in 1975. It's the goal of all Progressive Conservatives who campaigned for a new system, it is the goal of the Minister of Municipal Affairs and Housing and it is my personal goal. Let's be clear: Tenant protection is a paramount objective of this government.

I was delighted at first to hear about this resolution. Then I received my copy and carefully examined its wording. I realized that the member for Cochrane South only wants to maintain today's failed system. The NDP seems to think tenants are doing just fine under the existing Rent Control Act. I disagree. I don't believe tenants are currently being treated fairly or equitably. The current system is broken and the province desperately needs an improved system of tenant protection.

1040

The socialist government left us with an incomprehensible system of regulation, with deteriorating buildings and with almost no new private rental stock coming on stream to give tenants freedom of choice. It has left a system costly to administer and, for municipalities, costly to enforce. It has left courts clogged with tenant-landlord disputes. The final insult is this: All of these costs impact eventually on property taxes which, in turn, get lumped into rising rental rates.

This hopeless situation is all that this NDP resolution offers today to tenants. It's not good enough. The tenants of High Park, the tenants of Parkdale and indeed the tenants of Ontario have a right to expect better. With this government, that is exactly what they get: better tenant protection, infinitely more effective and considerate than the previous government ever offered.

Tenant protection is a major objective for this government. Meanwhile, the NDP has nothing new to offer. My friend asks us to endorse a legislative framework which does not work. I believe the new government will soon offer dramatically improved legislation. You can be certain it will enhance tenant protection and it will encourage the private sector to start work on new apartment buildings so tenants can begin to enjoy freedom of choice in a marketplace that works to the tenants' benefit. Most importantly, I believe it will also set in place a tenant-landlord dispute mechanism that is fair, understandable, accessible and quick.

This NDP resolution is more of the same old stuff which simply has not worked. The tenants of my constituency have every reason and right to expect better. On their behalf, I have no intention of settling for second-best. This is what the tenants of my constituency expect, this is what they deserve and this is what this government will deliver.

**Mr Mike Colle (Oakwood):** The whole thing here, in a nutshell, is that, as yesterday, this is the government that said, "We will not cut one cent out of health care." This is the government that now is going to say to you, "We will protect tenants." How can you believe that when they just broke the so-called solemn promise to health care. Now they're promising you they're going to come up with a better rental protection system than what's in place. I say to every tenant in Ontario, remember what they promised you on health care if you think they're going to deliver on protecting you as a tenant.

The thing that really concerns me is that in my riding most of the tenants are people on fixed incomes; in fact I think over 50% of the residents in Oakwood are tenants. They are people who, again, have perhaps not had the money to buy a home, a big house, but they have done very well in their apartments. I don't think, as the previous speaker said, that we have this unbelievable crisis that we have to destroy the system in order to fix it. I think there are ways of improving the system for tenants, but this government basically wants to scrap the rental protections that have been put in place.

These protections are even more critical than ever because in the cities across Ontario people are losing their jobs, and they're going to continue to lose their jobs because of the draconian tax cuts this government is introducing, which are going to make people more vulnerable. Then you're going to add another fear in the cities across Ontario because people on fixed incomes now are going to be told perhaps, "Your rent is going to go up because the rent control system is going to be scrapped by this government."

I would say to the members across that if they're serious about doing something, they should address the property tax inequity that every tenant faces, because per square foot tenants pay 30% to 40% more in property taxes than do homeowners. When you bring across your omnibus bill, or ominous bill, about rent control changes, I hope that is one of the planks in your new bill, that you are going to address the property tax inequity that each taxpayer who lives in an apartment is faced with and has been overpaying for the last 30 years.

The present system obviously is not perfect and, as we know, there are inequities in it. I think there are ways of doing it without jeopardizing people who are now, as I said, living in good accommodation. Certainly in apartment buildings there are people who have problems with their landlords, but many tenants would rather—in fact, if you ask them, and I don't think this government will ask them because they've talked to the landlords—but go to the tenants' organizations, go to tenants in buildings and ask them whether they want to scrap rent control and replace it with the new system, whatever it is.

If they did that, if they had public hearings and went to the people who are living in apartments across Ontario, what would they say? What have they said? The people I talk to are saying they fear that this government is essentially going to impose unilateral change that will favour the landlord and the tenants will be given marginal protection, a lot of public relations rhetoric but very little concrete protection.

I feel that unless tenants across Ontario start to realize that the candidates of the Conservative Party are about to break another major commitment they made—because in all their campaign literature they said they would protect rent control, they would make it stronger. Instead, the first thing they're going to do, and they said—they had ministers running around the province saying, "We're going to scrap rent control."

Then yesterday the Premier said he's going to look at a system called marketplace rent control. To me, that's a pure oxymoron. Marketplace rent control? In other words, the rent of tenants is going to go according to what the

price is in the marketplace. That means that you will have no idea, six months from now, a year from now, what rent you'll be paying and what protections you'll have because it'll go according to the market. And you know what the market does, Mr Speaker: It goes up and down like a toilet seat. You don't know where you're going to be from day to day.

I would also say that the members opposite always say, "The reason we don't have rental housing is because of the rent control legislation." I think that is an outright piece of misinformation, because there are many other factors that have caused the lack of private—

**Mr Ron Johnson (Brantford):** Ask the landlords.

**Mr Colle:** Yeah, ask the landlords, right.

**Mr Ron Johnson:** Ask the builders.

**Mr Colle:** That's who they always talk to, the developers and landlords.

**The Deputy Speaker:** Order.

**Mr Colle:** But we know there are other factors that have caused that, one of them being sprawl, where you can build housing all the way to Lake Simcoe now, and you can make money building ranch-style bungalows, so why would you make affordable housing in Toronto?

I will support this bill because I think the government opposite is about to break another fundamental promise and I don't want them to even get near the tenants.

1050

**Mr Len Wood (Cochrane North):** I just want to take the few moments I have in support of my good friend and colleague Mr Bisson from Cochrane South in the resolution that he's brought forward as far as rent control is concerned.

I might point out that this is the third government that—rent control was introduced by the Conservative government Tories back in the 1970s, and now we see there's a possibility that after what they said during the campaign about protecting tenants, they might come forward and scrap the rent control legislation that was good.

**Ms Churley:** Another broken promise.

**Mr Len Wood:** It would be another broken promise, as my colleague has said, because we know that they promised during the election campaign that they wouldn't put user fees on, they wouldn't affect health care, they wouldn't affect classroom education, and yesterday we saw them take a chainsaw to every program we have in Ontario and take billions and billions of dollars out of the economy in order to give a tax break which is about equal to or maybe a little bit more than what they have cut in their slash-and-burn program.

I listened to the member for High Park-Swansea, and in his opening comments he said that he was—

**Mr Ron Johnson:** But 80% of that tax break goes to—

**The Deputy Speaker:** I'm warning the member for Brantford, I'd like to see you stay in the House a little bit longer.

**Mr Len Wood:** We know that some of the Tory backbenchers are in a very bad mood this morning,



because a lot of them had to go and hide last night and weren't able to show their faces around. So it's understandable that they would be upset and in a bad humour this morning.

I was starting out to say that the member for High Park-Swansea said that he was happy to see the resolution and the motion brought forward by the member for Cochrane South, yet he was making comments from a prepared speech that was probably prepared yesterday. Even after listening to the speech from the member for Cochrane South, he still wanted to continue on with that.

We have all kinds of campaign promises that were made by the Conservatives. Mike Harris had made promises. Mike Harris said he would strengthen rent controls, not cancel them. Yet now our fear is that this is going to be another promise that is going to be broken and the tenants in this province are going to be put at great risk.

The last thing I want to see is tenants who are expecting that they're going to pay a certain amount of rent for the next year or two years to come—they're on a fixed income, they have no way of making extra income, and all of a sudden Mike Harris and his Tories scrap the rent control program and leave it up to the landlords to decide how much they're going to increase the rent, when they're going to increase it and whether a lot of these tenants are going to be thrown out on the street and become homeless people. We already have enough homeless people right now. We already have enough people who have to live in slum conditions throughout this province. We don't want to see more.

This is why my colleague Mr Bisson has brought forward this motion and resolution this morning to protect the tenants in this province against landlords, and now it seems like they have to be protected against the Tories.

We have an obligation on this side of the House. Even though this is considered to be private members' hour, we have an obligation to make sure that the message gets out there loud and clear to the population of this province that it's very important that they speak out loud and clear to some of the changes that they're unhappy with.

As Rev Jackson said the other day in Toronto, it might mean that people are going to have to start marching in the streets in order to make sure that this Tory government understands that cut and slash and burn and take a chainsaw to everything so they can give a tax break to the rich people in this province is unacceptable.

With that, I'd like to leave some time for my colleague. I know he wants to make a few comments.

**Mr John Hastings (Etobicoke-Rexdale):** I'd just like to make a couple of observations. We're supposed to look at this private members' hour as looking at an issue independently, with some sort of reality. Two comments I'd like to make about the member for Cochrane South's resolution: Why doesn't he insert in there at least that he would want a system that is (a) workable and (b) results-oriented? Right now, the present rent control system in this province is neither.

**The Deputy Speaker:** The member's time has expired.

**Mr Michael A. Brown (Algoma-Manitoulin):** I enter this debate with a little bit of mixed feeling. I'm one of those people around here who has been through these wars on a number of occasions, particularly in the 1990 and 1991 versions of rent control introduced by our colleagues in the NDP.

Fools rush in where angels fear to tread, I think. I don't think any rent control, rent review, whatever you want to call it, system is going to be resolved in this province. All you had to do is sit through those committee meetings and find the laws of unintended consequence that come from the best-intentioned legislation you might see.

I remember sitting through Bill 4. That was the draconian measure where the NDP actually retroactively froze rents. I remember sitting in the chair, as I chaired that committee, listening to folks, not big corporations but individuals who owned five or six units, actually crying, grown men crying because they had a legal order to increase rents and retroactively they were being told they could not increase rents. They'd done the capital improvements, they'd taken out the mortgage with the bank, and now they could not meet their obligations and they were going bankrupt. I'm sure that was not the intention of the former government, but that was clearly the result.

The second thing is, this bill that the NDP put forward was supposed to help tenants, and one of the most amazing things, Mr Speaker, if you look around at the way it actually worked, just in terms of rent increases, it provided the largest real rent increases in the history of this province. Adjusted for inflation, the NDP bill provided the greatest increases to the tenants of this province and at the same time made sure that landlords could not improve their buildings: just totally unintended; well intentioned, but wrong.

**Mr Tony Silipo (Dovercourt):** I'm happy to have less than a couple of minutes to just stand and voice my support for the resolution that's in front of us in the name of the member for Cochrane South, Mr Bisson, and to say that in supporting this, I really hope that all members will take a good look at the words of the resolution and see that what essentially the resolution calls for is the maintaining of a fair and equitable rent control program. Obviously, Mr Bisson feels, as do I, that the present system is essentially that, and that before the government begins to do away with that system, it should take a good hard look at the basic sense of equity and fairness that exists in that system.

I think we know that in this area, as in many other areas, what we need is a sense of balance, that is, legislation and provisions that protect tenants, that give people a fair sense that they have protections, because when we're talking about this issue, we're talking about people's homes, where people live. We're not just talking about commodities or luxuries or things of that nature. We're talking about people's homes.

I think there is also a sense that the rights of the landlords have to be taken into account too. Certainly I know in a riding like mine, although there are not very many high-rise apartment buildings, a large proportion—I think it's about 40%, the last statistics I saw—of the

residents in my riding are tenants, most of them in very small tenancy situations in small buildings. So there is a need, I think, for that balance to be there. I think the present system provides that, and I would urge members to support this resolution.

**Mr Bisson:** Very quickly, I just want to go through a couple of points. First of all, I want members in the Conservative government to understand something here. The argument is that what you want to do is take a whole larger approach. You want to move away from the current RGI system, which is rent geared to income. You want to give that money, rather than to non-profits, directly into the hands of landlords to be able to give them the subsidy, and then you want to be able to repeal the Rent Control Act and go to a system that's market based.

That is a recipe for disaster not only for tenants; you will bankrupt the province. Understand: You need rent control in order to make darn sure that the rents don't go through the roof. If you're having to pay as a government a subsidy to a landlord and you don't have protection from rents being raised up, what'll end up happening is that the cost to the province will be far in excess of the \$2 billion that we spend now, and I want to put that on the record.

1100

The other thing the member for High Park-Swansea came in here saying, he was one of the guys who had a leaflet out there saying he was in support of rent control and what he was going to do, if elected, is protect landlords' rights under rent control.

Then he came into this House and said, "Well, you know, I was really happy to see the member for Cochrane South coming in here and bringing forward this motion, but after having heard his speech and read it a little bit more carefully I've now changed my mind." I just want to point out, he wrote the speech that he read yesterday, so he obviously did listen to my speech. He made his mind up a long time ago. He's a Reformer like the rest of you, so that does not surprise me at all. I would just say—

*Interjections.*

**Mr Bisson:** That's true. That's what we've got here. If you guys were Conservatives, you would be supporting the policies of Bill Davis and you would support rent control. You're obviously not Conservatives; what can you be? You're only left with the Reformers and that's what you guys are.

What you will do, if you open this legislation—and I warn the Liberal Party—is really go after tenants. Rents in this province will go through the roof. People will end up on the streets and that will be on your hands and on your conscience, and I urge you to support this resolution in order to make sure that the government does not do so.

REALTY TAX FREEZE

STATUTE LAW AMENDMENT ACT, 1995

LOI DE 1995 MODIFIANT DES LOIS

ET VISANT À GELER LES IMPÔTS FONCIERS

Mr Carr moved second reading of Bill 17, An Act to amend various Statutes to freeze Realty Taxes / Projet de

loi 17, Loi modifiant diverses lois et visant à geler les impôts fonciers.

**The Deputy Speaker (Mr Bert Johnson):** Mr Carr has moved second reading of ballot item 10, and he has 10 minutes.

**Mr Gary Carr (Oakville South):** I'll be very brief. I understand there are some speakers.

This bill, very simply, freezes property taxes in the province of Ontario for one year. I must say that it's rather appropriate with what happened yesterday, although I knew this was coming and knew fully a couple of months ago that we were going to be heading down this direction.

I must say off the bat that I fully support the government actions that we took yesterday. They are needed, they are necessary, they are tough, but it had to be done. We're going to see a year now of restructuring like this province has never seen, and I'm going to say right off the bat, that is good because it has to be done.

We won the election, and if you can sum up the Common Sense Revolution at all, I will sum it up this way: It was about 31 pages, "Our taxes are too high and our government spends too much money" is what the Common Sense Revolution was all about. The Premier of this province, the Honourable Mike Harris, when he was leader of the party, went around and said, "We do not have a revenue problem; we have a spending problem in the province of Ontario," and each one of our members agreed with that 100%.

The Common Sense Revolution was about reducing taxes and cutting spending. The big problem we have, as we found out the reality yesterday, is now we have given that responsibility on where the cuts will be to our transfer partners. I firmly believe, because other jurisdictions have gone the different routes—what happened in Alberta, they took taxing power away from trustees and went to province-wide bargaining because they knew they wouldn't make the tough choices. I can say this without batting an eye: There is no doubt that municipal politicians and trustees will not have the courage to do what we did yesterday. I can say that without a doubt. There are very few politicians who will make the tough choices that we had to make yesterday.

Now the problem that comes up with the transfer cuts that were necessary is what happens to the local property taxes as a result, because now it's into the hands of the school boards and municipalities to make those decisions. In Halton, we have an additional problem in that we're going into market value reassessment and I'm not being alarmist when I say there are some people getting increases of \$800. A senior came to see me and said that she's going to be forced out of her home because of the reassessment. I almost introduced a bill to deal with that issue, but I wanted to bring this in so that every member could be involved in it.

I think there is going to be a major restructuring. Another chap came to me, a lawyer with one of the law firms. His property taxes now are \$15,000; under the reassessment it's going to \$22,000. I can tell you this: We're going to have a major problem in Halton because



we're going to have assessment problems similar to Scarborough because everybody is appealing their assessments.

I don't want to spend too much time on that because my bill will also kill the reassessment for a year while we do the restructuring. This restructuring is going to be profound in municipalities and school boards, and then we see that the bill we introduced yesterday allowing the restructuring to take place and again the omnibus bill, as it's called, is completely necessary.

The problem I've got with this is I firmly believe school boards and municipalities will not make the tough choices. I think they're going to have to, at some point, cut spending. There's no doubt about that. But they are also going to go the property tax base, and that is wrong because I honestly, truly believe we cannot afford any tax increases in the province of Ontario for any reason.

While this restructuring takes place, this freezes property taxes and forces municipalities and school boards to make the same tough choices. I agree 100% they should make those choices. I don't want the dictation to come from Queen's Park and say: "This is how you'll restructure. This is what'll happen to your school boards." But I can tell you this: If we do not force them to do it on spending cuts, a lot of politicians will go to the property tax base to try and not make the tough choices.

I was down in Elgin, down in London, at Gavin's hockey tournament on the weekend. They say if the cuts come through, the property taxes down there will go up 30% as a result of our transfer cuts. I'm saying that cannot happen, that it has to be spending cuts that come in place, not property tax increases.

I won't spend too much time talking about what's going to happen in Metro, because I will say they have managed poorly, notwithstanding some of the good folks who have come from Metro. They've got one heck of a problem. But I can assure you, the Jack Laytons, the Howard Moscoes and all the people on Metro council won't make the tough choices we made yesterday; they will attempt to go to the property tax base. I say that's wrong.

I'm not here to speak too much about Metro, although I grew up in Metro Toronto and I know it, but I can tell you the problem with Metro is they're already losing industries because of the high property tax rates. As we sit here today, we are the highest-taxed province in Canada, the highest-taxed jurisdiction in all of North America and our property taxes are highest in all of the industrialized world. What this bill will do is force municipalities and school boards to make the same tough choices.

Part of my riding is in Burlington as well, and Burlington councillors said, "I'm not going to increase property taxes." I said, "That's fine, you're going to make the tough choices in Burlington," and I believe they will. My brother's on council there, as a matter of fact. You think I'm a hard-liner; you should see him. When I talked to them, they said, "We'll make the tough choices," and I said, "That's great, you'll cut out local busing, you'll make the tough choices in parks and rec," and you know what's going to happen? The school board's going to

jump in and say: "Oh, that's great. Now we can increase by 2%, 3%, 4%, 5% the property tax, because municipalities have frozen theirs."

I warn every member in here, we are going to spend the next spring in this Legislature legislating teachers back to work if we do not deal with the property tax. As you know, the arbitration changes that we introduced yesterday—and some of the members might not be aware of it—are very profound. It basically says to arbitrators, "You're going to take a look at the ability to pay." I agree with that 100%.

But the ability to pay now means they can go to the property tax base to increase taxes. What I'm saying is, we introduce those major provisions in this omnibus bill and we do it based on saying to them that it has to be done within the existing fiscal framework. If we don't freeze property taxes, we're going to allow school boards, we're going to allow teachers, we're going to allow fire and police to say, "The fiscal framework is you can increase taxes on the property tax."

I make no illusions that this is going to be easy. I think I'm one of the few going up to yesterday who comprehended what this is going to mean. It's starting to sink in to some of the other members, the most profound change. I agree with it 100%, but I tell you, it must be done on the spending side. The municipalities and school boards must make the tough choices that we're prepared to make. I think, unless we force them to do that with a property tax freeze, they will not.

So I will say this: The measures are very tough and the government has already taken some provisions to do that. The government will say, "We want them to make the choice"—I had this discussion with the Premier—but I say to him, then why did we have to freeze development fees? Because we did that on November 16, and I agree with that. If we do not deal with the property tax base in the province of Ontario, our tax cuts that we believe in and are still fighting for, in spite of the opposition—I guarantee you they will not go to creating jobs.

The ministers a lot of time missed what that tax cut was. When I see Bob Rae ask a couple of ministers, that tax cut is a job creation remedy. We said during the election campaign—and we had a little formula that we all used. Tax cuts equals more money in your pocket, equals more consumer spending, equals more jobs.

Our tax cuts will not go to creating jobs, is my big fear. Because what will happen is our tax cuts that we're making the tough choices to pass along to the beleaguered taxpayers will go right to property taxes because school boards and municipalities don't have the political courage. My big fear is how we're going to get the job creation with our tax cuts like we said we would if in fact property taxes go up.

**1110**

I will say this to the government, on its behalf: It has said very clearly to municipalities and school boards, "We don't want any increases in the property taxes." One of the announcements today I got said, "We're going to try to work with them." I say to the government, however you do it—it may be a proposal where they go back to them and say, "If you increase taxes by whatever, we're going to cut the transfer payments even more to make up

for that." That may be what we end up with, I'm not sure, but as we do this restructuring, I firmly believe the provincial government must have the political courage to stand up and do what is necessary.

Just very briefly, in closing, I commend the Premier. I will disagree on some things, and Lord knows, by even bringing this in, there will be times when I'm going to challenge him like never before, but I must say he had the political courage to do what is right. All I'm saying is, school boards and municipalities have to do the same thing.

I'm encouraging every member of this House to do it. I hope it will go to committee. I hope it will pass. I can tell you this: Over the next two months, as municipalities and school boards go through their budget process, this issue is going to come back. At the end of the day, if property taxes do go up, I'm going to be able to say to some of the people, the seniors, who are going to lose their homes as a result: "I introduced a bill that was defeated. I did the best I could to prevent property taxes from increasing in the province of Ontario."

I hope all honourable members will feel the same way. Let's push this bill, let's pass it and let's help the beleaguered taxpayers in the province of Ontario.

**Mr Mario Sergio (Yorkview):** This proposed bill comes at a very inappropriate time. I could sympathize with my colleague on the other side if the municipalities were given a chance to deal with the massive cuts which they were presented with in yesterday's announcement. I find the timing of this bill totally inappropriate. It was totally inappropriate to impose upon the local municipalities huge, massive cuts yesterday, and then today, we are saying, "Don't do it." You want it both ways.

Then I'm totally flabbergasted when I hear the honourable member saying that this will kill reassessment for a year. For goodness sake, the people of Ontario, especially in Metro here—perhaps the member comes from out of town; he doesn't know the plight that we're going through in Metro here—have been waiting for tax reform for the last 50 years.

On the books, the Conservative Party says, "We are going to tackle this problem of reassessment." If there is one very specific, fundamental problem within Metro, it is the inequities that live within the present tax system. Metro is losing some \$60 million a year. Companies are leaving, businesses are leaving Metro for greener, richer pastures out of Metro.

To say to the people of Metro here, and Ontario, "We are going to freeze this and we're going to tell the municipalities, 'You cannot do that,'" is totally unjust, is totally unfair, when homeowners in Metro have been waiting for 50 years for a break.

We would comment really that this would be a very commendable act if municipalities were given a choice, saying, "Okay, we are going to give you the power to deal with your own affairs, with your own municipalities," but then we are saying, "But you cannot do that."

With all due respect, how am I going to tell that to Mayor Lastman of the city of North York; M. Faubert, the mayor of Scarborough; Miss McCallion, the mayor of

Mississauga, when they so diligently have been bringing, for the last two, three, four, five years, zero budget increases?

The only thing this proposed bill does here is say, "Despite what the bill says, we will not allow any tax increase over and above an increase in 1995." How can we tell the municipalities that we're cutting almost \$700 million in funding, in transfer payments, and then we're saying, "You cannot even suit yourselves if you should cut services and where, or raise taxes"? The Minister of Municipal Affairs has been saying, "We are going to give municipalities more powers." This is totally contrary to what they had been preaching and this is totally inappropriate after the announcement of yesterday.

Is the government telling the local municipalities, "Conduct your own affairs; we are eliminating everything we've been giving you and now we're going to give you one block of funding, so we give you more flexibility," and then it's saying, "But hold it a second; in spite of everything we have been telling you, you cannot run your businesses the way you would like to, the best way you think for your local municipality"?

Let me tell this House something: It is not the Premier; it's not us in this House here; the people best to deal with local issues are local councils. How will we judge how well a community's progressing, it's living, if it's doing very well? Only when you walk in those residential communities. If you see the sidewalk in good repair, if the streets are clean, if the boulevard's grass is cut and stuff like that, that's how we notice it.

Why don't we give the flexibility that the government has been saying we would be giving the local municipalities? I find it totally unacceptable that today we are presented with a bill which freezes for one year practically, and now this leaves the municipalities with a decision where they say, "We have been cut yesterday and we have been told, 'You cannot raise taxes today.'"

I think my time is up. I would hope that the mover of the bill would reconsider it and give the local municipalities the autonomy they deserve.

**Mr Tony Silipo (Dovercourt):** I'm pleased to have a chance to speak to this bill today. I have to say, and I know, Mr Speaker, you and others have heard me talk, on and on sometimes, about the importance that I place on private members' hour because of the ability it gives all of us as individual members to bring forth bills or resolutions that we feel are important.

I find this one puzzling and somewhat troubling, because I listened carefully to the introductory comments made by the member for Oakville South. I have to say I'm still perplexed as to why this bill is here, because on the one hand it sounded like he was bringing it in support of what his government is doing, and on the other hand it sounded like he was bringing it here because he wasn't able to convince the government to, in effect, make this a part of the omnibus legislation. One would have thought that in fact, given all the other draconian measures that are in that omnibus bill that comes out of yesterday's statement, this is something that should have been there as well, from their perspective.



I'm going to listen more and more intently as the debate goes on to try to understand what the motivation is behind this bill. I certainly don't want to impute motives, not because that's against the rules but because I don't believe that that's an appropriate thing to do in any circumstances, but if I were a cynical person, I would say that perhaps one strategy that's being played out here today is for this bill to be passed and to be held out there hanging over the heads of municipalities and school boards in a bit of a threat in the event that school boards and municipalities start to increase property taxes.

Now, if I were a cynical person, that might be a conclusion that I would draw.

**Mr Bill Murdoch (Grey-Owen Sound):** Oh, but you're not.

**Mr Silipo:** But I'm not. I tend to be an optimist at heart, and so I have to conclude that the member for Oakville South has brought this bill because he wasn't able to convince his government that it should include this as part of its omnibus legislation, which I find really intriguing, because I didn't know that anyone in the government caucus could actually make the Premier and the Minister of Finance sound like Progressive Conservatives. The member for Oakville South has just managed to do that, at least for this one instance.

Let me say that I will not be supporting this bill, and I want to explain why. I certainly don't believe in increases in property taxes, for a number of reasons: First and foremost, because property taxes are the most regressive form of taxation; secondly, because I think that people are taxed to the extent that they can be taxed and so I don't, for one, support the notion of property tax increases.

1120

However, I have to say that this bill, coming at this particular point in time, on the heels of what we heard yesterday from the Minister of Finance, is just completely inappropriate in terms of what I can support. So I will not be supporting it, because when you look at what the Harris government did yesterday, it will be cutting funding to municipalities by almost \$700 million over the next two years. That's almost half of what the government gives municipalities now. So we're not talking about small cuts here. We're talking 43% to 44% cuts; almost cutting in half what the government gives to municipalities on a year-to-year basis. School boards: similar range of cuts, 9%—\$400 million—just next year alone, because they haven't told us what they're going to do in subsequent years with respect to school boards.

The question that's left is, what are school boards and municipalities going to do? Clearly, what the member for Oakville South is saying that they should do is to basically cut the services they're providing, because he believes they should not be raising property taxes. He talks about having the courage to make those cuts. I would say that if I were back at the school board and if people here were municipal politicians, I think it would take a lot more courage to be prepared to raise property taxes than it would to make some of the cuts the member is suggesting should be done. Because this is not a question any more of just trimming the fat and stream-

lining and restructuring; everyone is in support of that. What we are talking about here is cutting basic services, whether it's child care, whether it's classroom programs, whether it's transit—having to pay more to get on the subway and on the buses—and on and on and on.

The difficulty I think this bill poses is that it tries to presume that we as provincial politicians are in the best position to know what should be happening, school board by school board and municipality by municipality. If the government wanted to do that, it had the chance to do that because it certainly is giving itself, through this omnibus bill, lots of powers, including passing on to municipalities the right to levy user fees.

So why would they not have put this in as part of that omnibus piece of legislation? The only conclusion that I can come to is that they did not agree to do that but would be interested, I would suggest, in maybe holding this out as a possibility, because we did hear the Minister of Finance say yesterday that they will have to deal with the situation if municipalities and school boards dare to raise property taxes.

The point I want to conclude on is this: If there are going to be property tax increases, it should be up to school boards and municipalities to make that decision, particularly in light of what has happened. But if there are going to be increases, let there be no mistake that this responsibility will come back to lie on the shoulders of this Tory government, because it is the draconian and unnecessary level of cuts that they are doing, not for the sake of balancing the budget, not even for the sake of creating jobs, but for the sake of paying for the tax cut that is going to benefit the wealthiest citizens among us the most, those cuts, in the amount of hundreds of millions of dollars to municipalities and school boards, that are taking place.

I find it a bit presumptuous for us to be dealing today with a bill that says to freeze property taxes as part of that. I think the choice needs to be left locally. The responsibility, however, will come back to lie on the shoulders of this government. I regret having to deal with this kind of a bill today because I think it usurps somewhat the nature of discussions and bills that we should be having in this House, but given that it's here, I can't but be as clear as I've tried to be in my opposition to this.

**Mr Rob Sampson (Mississauga West):** Mr Speaker, I'm very pleased to stand up and speak to this bill, but before I do that, I want to say that I'm happy to see that your gowns have arrived, although clearly it's not the gown that makes the Chair.

I want to thank the member for Oakville South for spending a considerable amount of time on a rather important piece of legislation. I'm going to be speaking today to this particular bill as a member from the Peel area, the member for Mississauga West, but also as the parliamentary assistant to the Minister of Finance.

I think I understand what the member for Oakville South was attempting to do here. You know, we've made statements many times, and we heard it yesterday through the economic statement from the Minister of Finance, that it's crucial, in solving the deficit problem of this province, that we spend a considerable amount of time

working with our transfer partners in encouraging them to be part of the solution here and not a continuation as part of the problem.

It's not as though, by the way, this deficit problem landed on us mysteriously. All levels of government have participated in the spending binges that have occurred over the last while—all levels of government—all of them.

**Mr Mike Colle (Oakwood):** It started with Davis and Mulroney.

**Mr Sampson:** My friends over here in the opposition tell me it started with Davis. That may have been the case, but it was clearly accelerated and went way above proportion by both of these parties. That's the dilemma we're faced with now. What we have to do is somehow, in partnership with our transfer partners, in partnership with the municipalities, in partnership with the taxpayers, solve the problem. We've got to collectively spend less money. So I can understand my friend from Oakville South's concern when he drafted this legislation, because what he was trying to say to the municipalities was: "Listen, you were part of the problem. We were all part of the problem. We have to together be part of the solution here."

My friend from Oakville South has suggested, by this piece of legislation, that the way to encourage that is to force a tax cap on the local areas. But I'm afraid that's where I, as the member for Mississauga West and as a parliamentary assistant to the Minister of Finance, have to part from my friend's position because what we're trying to do in solving this with our transfer partners—and the statement was made in the House by the Minister of Finance yesterday—is to hand back to these transfer partners the responsibility and the tools to deal with their share of the spending problem. We can't effectively do that by taking away one of their tools, and that's their ability to manage their access to the revenue base in this province: the one taxpayer.

While I understand the member for Oakville South's direction here, and I'm concerned with his concerns, I understand where his concerns are coming from, I think what we have to do, though, is say to our transfer partners, "Here are the tools; work with us in solving the problem," as opposed to going to them and saying, "I'm going to give you all the tools but one of the very important ones, being a spending base."

I'm afraid I'm going to have to, on behalf of Finance and as the member for Mississauga West, vote against this particular piece of legislation. But I want to say to the House that clearly the message here to our transfer partners should be that we have to collectively be part of the solution. We're prepared to work with them in dealing with the overspending that we all participated in over the last while, and the only way to do that is to hand the local people the tools to deal with the issue and deal with it effectively.

1130

**Mr Colle:** I think the member for Mississauga West made some very good points and it was a very thoughtful presentation that he made. I agree with him that the

deficit problems we're in weren't started in the last 10 years. There was some acceleration, obviously, but for the genesis of it, we have to go back further than 10 years.

In terms of this bill, it's something that looks very good on the surface. It's got a very appealing phrase about freezing property taxes, and that's something most municipalities and most property taxpayers across Ontario would like to support.

But in terms of the context of this bill, we have to remember that there's a new form of municipal tax being introduced by this government. That's why I'm not going to support this bill, because it doesn't go far enough to meet the new property tax that's will be imposed across the cities and towns of Ontario. These are the new taxes called user fees. If this bill said there would be a freeze on property taxes plus new municipal user fees, I could support it. Even though you may freeze property taxes, it doesn't say anything about freezing these new user fees.

As a result of the 50% cut in transfer payments to municipalities, the government is encouraging municipalities to impose new user fees. It's a new tax that people will have to pay in the cities and towns. There will be a user fee to go to the library. Fees to take your pet to the local animal shelter will go up. There will be fees on things like ambulance services, perhaps. There will be fees on garbage pickup.

These are new taxes, which are going to increase the dollars taken out of the pockets of taxpayers right across Ontario. What this bill should introduce is, how can we control these new series of levies that are going to be imposed on taxpayers right across Ontario?

We could see new taxes imposed on water that comes into your home, sewage that leaves your home. There is going to be an increased cost to every person who lives in a city and town in Ontario as a result of the new taxes that this government is encouraging.

The property tax situation, as we know, is very regressive in that you could be a millionaire living in a home and you could pay the same tax as a person who's just lost his or her job. Freezing it doesn't do justice to the difference between the millionaire and the unemployed person. That's why freezing wouldn't help them.

The new user fees will be regressive taxes too, because perhaps the millionaire can go to the library and take out a book and not be bothered about the new user fee, but the ordinary person, the senior or the person on a fixed income, who goes to the library is now going to have to pay an extra tax.

That's what is missing from this bill. Attention should be paid to the new round of taxes we're going to see right across Ontario, whether your dog or cat needs rabies shots, whether you go to the library to take out a book, whether you use the blue box system, whether you use public transit across Ontario; the fares will go up in every municipality—and they've gone up already—to use a bus or a streetcar or the subway.

These are the fees that should be frozen. Freezing property taxes alone is not enough, because we're into a whole new wave of property taxes we'll be hit with



because this government has taken almost 50% of its transfer payments away from municipalities. In fact, in cities like Ottawa and Metropolitan Toronto, it's going to impose negative grants and even take more property taxes out of Metro and Toronto school boards. What about a freeze on the negative grants?

I do not support this bill because it does nothing about the new property taxes, the new user fees this government is going to impose on every citizen in Ontario, even in your home town—Oxford, is it?—Mr Minister. Not “Minister”; I mean Mr Speaker.

**Mr Gilles Bisson (Cochrane South):** I'm glad to see, Mr Speaker, that when you put the robes on they confuse you with a minister.

I'd like to take the seven-odd minutes I have in response to get to the crux of what this is all about. When all of us here, from all sides of the House, go back to talk to the electorate from the counties and ridings we represent, people often say they're cynical about politicians. This is a good example of what fuels that thought and fuels that fire.

What you've got here today is, simply put, a political bill put forward to try to cast the member in the right light in terms of wanting to protect municipal ratepayers. But it's quite contrary to what the government is actually doing. That's what I want to say at the outset of this debate, that what we've got here is purely a political bill.

Everybody understands; nobody back home would have any illusions about the fact that municipalities have the right to tax. That is clearly an issue that lies solely within the purview of municipal councils, and school boards also have the right to tax.

If we were to vote in favour of this bill, it would be tantamount to the federal government of Canada passing a law saying that provinces cannot raise taxes in any way for a period of a year. I would suggest that the Conservative government would be outraged if Mr Chrétien of the Liberal Party in Ottawa were to pass a similar piece of legislation about the provinces of this country. The Conservatives would be howling, along with the opposition parties, the New Democrats and the Liberals, because we would see that as an intrusion into our right as a provincial assembly to deal with provincial matters and provincial policy. To provide services and govern the province, you need to have the revenue to do so.

I'm not advocating and neither, I thought, were any members here from any side of the House advocating that we should be encouraging municipalities to raise taxes; that's not at all what we're encouraging. We hope municipalities, in light of what happened yesterday in the massive transfer cut of some 43% to municipalities, will be able to deal with that without a tax hike. I don't think it's possible. I don't think they're going to have a lot of choice.

But I'm certain that all members in the House hope that municipalities don't end up doing what I think will happen in the end, which is to allow Mike Harris to say, “I'm the Taxfighter; here's a 30% tax cut,” on the one hand, while at the same time the municipal politicians, because of the reduction in transfers, will take more

money out of your pocket through municipal taxes. I think this is what it'll lead to.

On that point, and I won't belabour it any more, I would say this is pure political cynicism. No member of this House would stand for the federal government passing such a piece of legislation, hampering our ability as a provincial assembly to raise or levy taxes in this province. For us to try to do that to municipalities is utterly ridiculous. What we've got here is a private member's bill strictly for political purposes.

In Ontario, and I'd say in most of this country, we take pride in how our municipalities across this country and across this great province are strong, safe, clean communities to live in, have a strong infrastructure, have the services necessary to make our communities safe. I have always been proud when I hear people visiting Toronto say, “My God, I come from Cleveland, I come from Detroit, I come from New York, I come from Los Angeles, I come from Europe, and I can walk through downtown Toronto and many side streets of this city and not worry about being mugged or being harassed by criminals.” They're amazed and they wonder how do we do that.

We do it, first of all, because we have a different tradition in Ontario, as we do in the rest of Canada, but also because municipalities take quite seriously, along with the federal and provincial legislators, our responsibility to maintain safe and clean communities. I'm very much afraid, with what we had yesterday, with the introduction of what I guess we can now call a budget that takes 43% of transfers away from municipalities over a two-year period, as well as a large percentage, 10% next year, from school boards, and with the omnibus bill that came yesterday that allows municipalities to levy taxes through user fees and through various licensing schemes, that we're jeopardizing that whole notion and that whole reality we have in this province of safe, clean communities.

If municipalities do not have the revenue to pay for the infrastructure to maintain our water and sewer systems, maintain our road system, maintain the environmental protection systems we have through our blue box program and other recycling programs; if they don't have the money to maintain policing in our communities to make sure our streets are safe and that we don't have to worry about being mugged on the corner of whatever street, wherever you might be in northern Ontario or in southern Ontario; if the municipalities don't have the money to provide services and fire protection through our fire departments; if municipalities don't have the money to provide for proper garbage pickup, then our cities and towns will go the way that many have gone over a period of a hundred years in the United States, and that's right down the drain.

1140

We can look at cities in New York as a good example of where they don't provide a good infrastructure. Nothing really works in those cities. They're glamorous to go to because they've got the fashion district and the good theatre districts, but when you look at those communities, the infrastructure, both hard and soft infrastruc-

ture, has fallen apart because the state, municipal and federal governments in the United States have not seen fit to do what we've done in Canada and Ontario for years, which is to maintain our communities as safe communities to live in.

I very much fear, as I think a lot of members in this House do, that in our haste to deal with our deficit here in Ontario—and I don't disagree that the government should be trying to find ways to reduce our operating deficit and balance the budget; I think we all agree—but I really fear that the decision the government made yesterday, first through its budget and second through the omnibus bill, is really going to put our municipalities at risk.

When I look at communities like Timmins, Sudbury, Thunder Bay or Toronto, I wonder, how are those communities going to be able to maintain the services to keep our communities safe and clean if they don't have the money? To boot, the member for Oakville South would have us try to vote on a bill today that would say the community of Timmins or Matheson or Iroquois Falls or Cochrane or Kapuskasing or Oakville or Belleville can't raise municipal taxes above what they were in 1995. It's bad enough that you're hitting them on the one side with a 43% reduction in transfers, but to hamper them to the point of not being able to deal with it on the tax side is utterly ridiculous.

The member makes the argument that you've got to be politically strong, that it's weak and the easy thing to do to raise taxes. I can tell you from personal experience that raising taxes is the most difficult thing any politician has to do. We had to do it in the 1993 budget, and I didn't like it. I'll tell you, I took heat for it, and it was a difficult decision. My municipal aldermen, Mr Welin, Mr Dewsbury, Mr Lou Battocchio and others on council making their decisions, didn't like to do it. It's not a courageous thing; it's a very difficult thing to do.

**Mr David Tilson (Dufferin-Peel):** I'd like to make a few comments with respect to this bill introduced by the member for Oakville South. Contrary to what some of the members from the Liberal Party and New Democratic Party think, it did come at a rather opportune time, at a time when yesterday the Finance minister made a statement with respect to how this province intends to restructure.

The fact is that we in this province have too much government. We've got too much government municipally; we have too much government with school boards; we have too much government with provincial government. We've got too much spending by all of these governments. That is what the Finance minister intends to correct with respect to his statement yesterday.

For the life of me, I do not know how anyone in this place—I've listened to the speakers, particularly from the opposition—can possibly state that they support the status quo. The previous speaker, the member for Cochrane South, talked about how services are going to be lost, and he's right, there's going to be change. No one said this was going to be easy. But when you look at some of the stats—and I don't mean to provoke the members from the

opposition, but I'm going to refer to some of the facts the Finance minister has in his statement.

We are currently spending in the province of Ontario "\$1 million an hour more than it receives in revenues.... In the last 10 years government spending has almost doubled, while the accumulated debt has almost tripled.... Fewer jobs today than in 1989, higher unemployment and nearly three times as many people on social assistance as 10 years ago."

How in the world can the members on the opposition side, the Liberal and New Democratic Party, say we have to remain the same?

"Over the past decade, previous governments financed some of their overspending by raising taxes...65 times." It was roughly half from the Liberals and half from the New Democratic Party over the last 10 years.

"Ontario's personal income tax rates are now among the highest in North America."

Mr Eves's statement goes on, "In the past 10 years our provincial debt has...tripled. Soon it will exceed \$100 billion."

And I could go on and repeat some of the things we all heard yesterday.

The government had no alternative to change. We have to change drastically; so do municipalities and so do school boards. I'm sure we all agree in this place that all governments are going to have to change drastically, and they've known it's coming. We've given some pretty broad hints on this side to municipalities and school boards that we were going to make rather drastic changes, and we have made drastic changes.

The bill introduced yesterday I know will be controversial today and in the days ahead, but this government will be providing the tools to the municipalities and the school boards and other transfer partners to assist them in the restructuring process. It is on that point that I differ from my friend the member for Oakville South. I certainly support him on his principles of the need to restructure, but I have confidence in the school board trustees, confidence in the municipal councillors. They do have the courage. Someone suggested in one of the earlier comments that these councillors do not have the courage to make the change.

They can restructure and they will restructure. They have no choice. If they don't, if they raise taxes, as has been suggested by some of the other members—the member for Cochrane South, who is suggesting that—I can tell you, they're going to be thrown out of office. The property taxpayers in this province are overtaxed and overregulated.

I believe my friend the member for Muskoka-Georgian Bay said that in the municipality of Muskoka—and there was an article in the paper yesterday that Toronto council has passed a resolution that they're not going to have any more tax hikes. Mayor Hall was quoted as saying, "We don't want to increase taxes and we're going to work very hard to make that possible even in a situation where we're facing very serious cuts in our transfer payments from the provincial government and certain other pressures upon us."



The municipal councillors are ready for what happened yesterday. I have the faith that they will do that. Certainly the taxpayers' groups around the province are concerned about increasing taxes, but the municipalities and the school boards will not be raising taxes, because if they do they're history. They will be forced to restructure, just like every other institution in this province has done.

I support the principle of what the member for Oakville South has put forward, that we all must restructure, including municipal councils, but I'm afraid I cannot support the bill because I really believe we must give some jurisdictions and some rights to municipal councils and trustees to exercise their rights.

1150

**Mr Dominic Agostino (Hamilton East):** The first thing I want to point out is that my colleagues like to talk about tax increases, but they forget the years prior to 1985 and the 70-plus increases under the Davis government.

I also want to point to your own document, not ours. When you have a second, look at page 32 of your own Fiscal and Economic Statement and the chart at the top that talks about Ontario's deficit. Notice that by your own acknowledgement, 1989-90 was the first time there had been a balanced budget in Ontario. That is not a Liberal document; this is your own document. You should make yourself familiar with that.

I don't doubt the good intentions of the member for Oakville South in what's before us. It's really somewhat ironic that it is coming today, the day after the largest municipal grants decrease in the history of this province. Having served seven years on municipal council, I can tell you that the track record generally of municipal governments across Ontario in regard to tax increases in the last 20 years is better than any of the three governments that have served here at Queen's Park in the last 20 years. Municipal governments generally do a much better job of controlling spending than we do. Municipal governments don't have the opportunity to go into deficit as we do, because of the Municipal Act, so there are plenty of controls in place already at the municipal level.

But the timing I find ironic. On the one hand, this government introduces a massive, 600-page bill yesterday that is going to give municipalities this wonderful power. It's going to give municipalities the power to be the butchers, to make the decisions that this government doesn't have the guts to do. "We're going to give you the power to decide what services, but at the same time we're going to cut your funding by 50%." On the other hand, we have a bill today that says, "But we're going to take away your ability to raise funds in order to finance these cuts."

The Tories like to believe that user fees are not taxes. My colleagues across the floor think that when you impose a user fee, it is not a tax. It was your own Premier who told us that. So yesterday, when your government imposed user fees on seniors and disabled, you taxed seniors and disabled across Ontario.

What you're going to do through this, it's a smoke-screen. It is an absolute smokescreen in front of us, because what's going to happen is this: Municipalities are not going to raise taxes. You don't have to tell them how

to do their jobs. Municipalities can tell you how to do your job. But you are taking away the autonomy of municipalities and elected officials to do their job. Let them make those decisions and let them be accountable for that.

At the same time, what you have forced municipalities across Ontario to do is to impose user fees on everything from garbage pickup to hockey arenas to swimming pools and double and triple those user fees. They're going to go substantially higher as a result of your move of yesterday, but that's not taxation, according to the Tories. That's back-door taxation.

If you were committed to eliminating and not having user fees, you would not have imposed user fees on 1.3 million senior citizens across Ontario yesterday. It is disgraceful what you did. Now you have the guts to sit here and lecture to municipal governments on how to do their job. It is an absolute embarrassment what is in front of us, I think, what this government did yesterday and the timing of this today.

The intent of my colleague from Oakville South makes sense. It would have made a lot more sense before these massive cuts that came down yesterday. To turn around and cut school boards by 9%, cut municipalities by 43% and then the next day tell them what to do, the next day try to tell them what to do with this bill, doesn't make any sense.

The reality that you're going to find is there has been a massive downloading, there has been a massive passing of costs to municipal taxpayers. You have imposed user fees on some of the most vulnerable people in our society and you're forcing municipalities to impose user fees on homeowners in the years to come.

**Mr John Hastings (Etobicoke-Rexdale):** It really is unfortunate that the members opposite, especially in the official opposition, can't at least speak to the contents of the bill. The bill is dealing with freezing property taxes, but our member opposite there, he talks about the moon, the sun and the stars. I guess he can't make a fundamental distinction between private members' hour and government business, and it would be nice if the Chair around here occasionally would rule that we at least focus broadly on the contents of the bill.

Having said that, I can appreciate very much my colleague's attempt and intent in his bill, my colleague from Oakville South, about freezing property taxes. But as the member for Dufferin-Peel has noted, and I have to share his outlook, I think it would be very, very unfortunate if we took the opportunity to take away a fundamental tool that we're trying to give municipalities in being more creative in their management of their affairs, rather than going the other way.

If the honourable member for Oakville South had said as well that we'll freeze property taxes and make a changeover in the next two years regarding the assessment function, so that the assessment function would move from being provincially controlled and represented to a system of locally mandated responsibility, then you would be being really creative in helping municipalities run their businesses, instead of telling them.

That's the root cause of property taxes today: not the increases per se and not trying to attempt to freeze them, but actually going to the root cause of the problem, which is an inequitable assessment function that we have across this province.

Whether you're in favour of MVA, market value assessment, or average value assessment or a unitary approach to the assessment function, my firm, fundamental belief is that if the member for Oakville South had made an add-on to the bill that allowed municipalities to change the way in which assessment is developed and allowed them to create an assessment methodology that was most suitable to their local circumstances, then they would be much better equipped and able to control property taxes, to keep them restrained.

I also have to remind my honourable friend from Oakville South that actually many municipalities throughout Ontario, both urban and rural, small and large, have done a very effective job in managing to freeze local property taxes on their own. Within Metro, the city of North York, the city of Scarborough, the city of Etobicoke, and I think some component municipalities in the other regional government areas of, say, Ottawa-Carleton, have done the same thing in the last three years. So I think it would be most unfortunate if we made a sort of blanket rule that every municipality had to freeze taxes for a year without giving them the opportunity to have a change in the assessment function.

**Mr Carr:** In the wrapup, I want to thank all the speakers who participated in the debate. I very quickly also want to thank the author of the bill, Michael Wood, who in the legislative counsel did all the work on this and worked extremely hard on it.

To the member for Hamilton East I say this: If the cuts weren't as hard as they were yesterday, this bill would not be needed. It's only because the cuts were that hard that I feel this bill is needed.

To the members of the government, I will remind you when you say that the transfer partners have to be part of the solutions—I agree with the omnibus bill that is coming in, but when you read the municipal section, I say to you as you come in, we have now taken away the ability of district health councils to shut hospitals. I agree that has to be done, but that omnibus bill, our transfer partners—we shut hospitals in the province of Ontario as of that bill passing.

I say to my honourable friends who say the government has to work with the transfer partners, I support it 100%, but when that bill comes in I'd like you to say the same thing, that we don't want to force our transfer partners to do something. When you read that bill, the municipal section of it, it is going to be a fundamental change: The province is going to make the decisions. As we go through the restructuring, I will remind you of the same comments you made: We don't want to tell municipalities what you want to do. I will remind you of that when the municipal restructuring happens. Again I say 100% support, but when that happens, I'll remind you of what you said in this House.

Finally, the Common Sense Revolution, page 5, addressed this. I won't read it out because we're getting

down to the wire, but we knew with this going in it was going to create a problem and we said there is only one taxpayer and we cannot allow historically what has happened: municipalities to pass it on to the tax. We said we would work with the municipalities to ensure those tax increases don't come through.

This is the only way to do it, in my mind, and I hope all members will pass this bill, support it, otherwise I'm afraid we're going to have massive tax increases and it's going to be as a direct result of this government.

#### RENT REGULATION

**The Deputy Speaker (Mr Bert Johnson):** Is there anyone who objects to voting on the motion now?

Ballot item number 9, the resolution standing in the name of Mr Bisson: All in favour? Opposed? In my opinion, the nays have it.

This then will be deferred until after the next question.

#### REALTY TAX FREEZE

#### STATUTE LAW AMENDMENT ACT, 1995

#### LOI DE 1995 MODIFIANT DES LOIS ET VISANT À GELER LES IMPÔTS FONCIERS

**The Deputy Speaker (Mr Bert Johnson):** Ballot item number 10, standing in the name of Mr Carr. Any members who oppose taking a vote on this at this time? Shall this motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the nays have it.

I declare the motion lost.

Call in the members. It will be a five-minute bell.

*The division bells rang from 1201 to 1206.*

#### RENT REGULATION

**The Deputy Speaker (Mr Bert Johnson):** On ballot item number 9, the private member's notice of motion by Mr Bisson, the New Democratic Party has requested a recorded vote.

Therefore, all those in favour of the resolution will please stand and stay standing.

#### Ayes

Agostino, Dominic	Kormos, Peter	Rae, Bob
Bisson, Gilles	Lankin, Frances	Silipo, Tony
Boyd, Marion	Martel, Shelley	Wood, Len
Churley, Marilyn	Martin, Tony	
Colle, Mike	Pouliot, Gilles	

**The Deputy Speaker:** Those opposed will please stand and remain standing.

#### Nays

Baird, John R.	Grandmaitre, Bernard	O'Toole, John
Bassett, Isabel	Grimmett, Bill	Parker, John L.
Beaubien, Marcel	Guzzo, Garry J.	Pettit, Trevor
Boushy, Dave	Hastings, John	Preston, Peter
Brown, Jim	Hoy, Pat	Rollins, E.J. Douglas
Brown, Michael A.	Hudak, Tim	Ross, Lillian
Carr, Gary	Johnson, Ron	Sampson, Rob
Carroll, Jack	Jordan, Leo	Shea, Derwyn
Chudleigh, Ted	Kwinter, Monte	Sheehan, Frank
Cleary, John C.	Lalonde, Jean-Marc	Smith, Bruce



Curling, Alvin	Leadston, Gary L.	Snobelen, John
Doyle, Ed	Martiniuk, Gerry	Stockwell, Chris
Fisher, Barbara	Maves, Bart	Tilson, David
Ford, Douglas B.	Miclash, Frank	Turnbull, David
Fox, Gary	Munro, Julia	Wettlaufer, Wayne
Froese, Tom	Murdoch, Bill	Wood, Bob
Galt, Doug	Newman, Dan	Young, Terence H.

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 13, the nays 51.

**The Deputy Speaker:** I declare the resolution lost.

**Mr Gary Carr (Oakville South):** Point of order, Mr Speaker.

**The Deputy Speaker:** The member for Oakville South, I will not deal with a point of order now. It will have to be done later.

It being 12 o'clock, I declare the House adjourned till 1:30 o'clock this afternoon.

*The House recessed from 1209 to 1330.*

#### MEMBERS' STATEMENTS

##### HEALTH CARE FUNDING

**Mrs Elinor Caplan (Orillia):** "Not one cent from health care," that's what Mike Harris promised. Yesterday, the Conservatives slashed \$1.3 billion from Ontario hospitals. "No new user fees," that's what Mike Harris said during the election campaign. That's what he promised, and yesterday the Conservatives slapped a new user fee on drugs prescribed to seniors by their doctors. "No hospital closures," that's what Mike Harris promised, and yesterday the Conservatives announced an 18% cut to hospitals and a fast track for hospital closings, without scrutiny.

Yesterday Mike Harris didn't cut the fat out of health care; he pulled the plug. Never before has a government shown such contempt for the voters of this province; never before has a government violated its commitment, its trust, with the people of this province so quickly after an election. When a government breaks its promise this quickly after an election, one can only conclude that the government never intended to follow through on its promises in the first place.

Every member elected to this House is deemed by the rules of this House to be honourable. After what Mike Harris has said and after what Mike Harris has done to health care in this province, I will not believe another word that Mike Harris ever says again on health care. Never again will I ever trust a word he says. If a man's word is his bond, Mike Harris's bond rating has been downgraded to zero in my books. Shame on you, and you should resign.

##### SPENDING REDUCTIONS

**Mr Peter Kormos (Welland-Thorold):** It's going to be a bleak Christmas for a whole lot of folks in this province. Folks down in Welland-Thorold are scared and, I'm telling you, rightly so: senior citizens not understanding how they're going to afford to pay for the health care they were promised was not going to be tinkered with; young families who don't know whether they're going to be able to continue to live in the houses they've purchased because they don't know whether the increased realty taxes are going to force them out of those houses.

There are lineups at soup kitchens longer than they've ever been in decades and the shelves of the food banks are empty and bare. It's going to be a really bleak Christmas for lots of Ontarians. The cupboard's bare for seniors, children will be hard pressed to understand the poverty they've been forced into, and unemployment continues to loom over this province with no end in sight.

But not for Mike Harris and the Tories at Queen's Park. Oh no, it's going to be a jolly and merry Christmas for Mike Harris's gang as they wine and dine and dance at their caucus Christmas party at the posh, exclusive Westin Harbour Castle hotel on December 13.

This is an exercise in self-indulgence and extravagance and disdain and contempt by this Tory cabal. It's the height of arrogance. They're going to drop in excess of three grand while people are starving and shivering on the streets of Toronto and across this province. Shame on them; it's contemptible.

**The Speaker (Hon Allan K. McLean):** Further statements? The member for Kitchener.

**Mr Wayne Wettlaufer (Kitchener):** It's not taxpayers' money.

LYLE HALLMAN

**Mr Wayne Wettlaufer (Kitchener):** I would like to take this opportunity to acknowledge a leader in my community of Kitchener-Waterloo.

Lyle Hallman is the owner of Hallman Construction, and this year marks his 50th year of success in the construction industry. But I am not here today to talk about Lyle's business accomplishments; I am here today to recognize his philosophy of giving that has made a tremendous impact on the Kitchener-Waterloo community.

His most public gifts include financial contributions to a building for the children's aid society and to the Centre in the Square, our arts centre; \$150,000 to the Waterloo Recreation Complex; and \$100,000 to the St Mary's General Hospital fund-raising campaign. More recently, there was a gift of \$500,000 so the Grand River Recreation Complex could build an Olympic-size pool, and an endowment of \$1 million to the Kitchener-Waterloo Community Foundation board.

But while these gifts are very generous, Lyle Hallman's real contribution is his willingness to do what it takes to help people. The time Mr Hallman has spent participating in various clubs and associations has always been driven by his sincere desire to help the community. Whether it was being president of the local Jaycees or spending a part of every Saturday directing a boys' program for the Christian Youth Centre, Lyle's dedication and commitment—

**The Speaker (Hon Allan K. McLean):** The member's time has expired.

##### HOSPITAL FINANCING

**Mr Gilles E. Morin (Carleton Place):** Yesterday, the Conservative government slashed more than \$1.3 billion from Ontario's hospitals. You ask, is that a broken promise? You bet it is. But is about a lot more than a government not keeping its word. This is about people's lives.

"No cuts to agriculture." That's a broken promise. "No cuts to the north." That is a broken promise.

But let me make it clear: When you cut hospitals by \$1.3 billion, you're taking money from emergency rooms, you're taking money that could reduce waiting lists for cardiac surgery, you're taking money from cancer care, you're taking money that often means a difference between life and death.

When Mike Harris repeatedly promised that he would not cut one cent from health care, I thought he did so because he believed, like the vast majority of Ontarians, that health care was far too important to cut. That is, after all, what he promised in the Common Sense Revolution. But now that the votes have been cast and \$1.3 billion has been cut from Ontario's hospitals, all his words about "priority spending" and "not one cent" really make you understand why voters just don't trust politicians anymore.

I ask the Premier to reconsider his \$1.3 billion in cuts to hospitals, not because the cuts violate his promise not to cut health care, but because his cuts threaten the one thing all Ontarians agree is our best asset: a quality health care system.

#### JUNIOR KINDERGARTEN

**Mr Len Wood (Cochrane North):** My statement is to the Minister of Education and Training. Recently, I met with teachers' representatives in Kapuskasing who are concerned about cuts to education programs, specifically the junior kindergarten program. With funding to school boards now being cut by \$400 million, this program is now threatened by your government's axe. I might point out that it's like taking a chainsaw to do heart surgery.

The junior kindergarten program, first introduced in 1944 and supported by government since its inception by grants to school boards to provide educational programs in junior and senior kindergarten, should not be threatened. Every dollar invested in programs for young children and their families saves \$7 in remedial programs or criminal justice costs down the line.

Because of the benefits for children, the NDP government passed legislation calling for mandatory junior kindergarten. Your government has not indicated support for this initiative and your silence on this issue is thundering, suggesting that possibly you won't be supporting it.

There's a widening gap in Ontario between the children who arrive at school emotionally, physically and intellectually ready to learn and the children who come to school hampered by a lack of nurturing and stimulation. Providing early education to all children means all children will have the chance to live up to their potential in our society.

When you're evaluating education programs and cuts to them, I would suggest that you use your common sense, Mr Minister, and not cut funding to junior kindergarten programs in this province. You say that our youth will benefit in the future from your direct reduction efforts. I say they would benefit more from a junior kindergarten program that would educate them early for future success.

#### AMETHYST AWARDS

**Ms Isabel Bassett (St Andrew-St Patrick):** It gives me great pleasure to rise today in honour of 17 individuals and groups who represent the hallmark of public service to Ontario's citizens. These Ontario public servants are this year's recipients of the Amethyst Award, the symbol of outstanding achievement in the delivery of services to the people of Ontario.

The honorees will be honoured tonight at a special ceremony. They are the aboriginal issues action group and George Al-Bazi with the Ministry of Transportation; Carol Gold, Jerome Krause and John Voskuil at the Ministry of Citizenship, Culture and Recreation; John Gunn and Bill Keller with the Ministry of Natural Resources and the Ministry of Environment and Energy; John Mochikas of the Ministry of Finance; Sheila McDade with the Ministry of the Attorney General; Sue Noga with the Ministry of Municipal Affairs and Housing; Gyan Rajhans of the Ministry of Labour; Sam Squire with the Ministry of Agriculture, Food and Rural Affairs; the recycling committee of the Ministry of the Solicitor General and Correctional Services; and Sharon Suter with the Ministry of Environment and Energy.

We are honoured to have these individuals here today and I would ask you to acknowledge—

**The Speaker (Hon Allan K. McLean):** Time has expired.

1340

#### NORTH YORK BRANSON HOSPITAL

**Mr Monte Kwinter (Wilson Heights):** Just before the House assembled today I had an early visit from Santa Claus, also known as His Worship Mayor Mel Lastman of the city of North York, who was staging his own Miracle on 34th Street. The mayor was accompanied by Mr Jack Gallop, president of North York Branson Hospital, 12 other Santas and hundreds of citizens concerned about the proposed merger of North York Branson Hospital with York-Finch Hospital.

The proposed merger will remove emergency and inpatient services currently provided by North York Branson Hospital and will seriously jeopardize medical care and the quality of health for the growing population which Branson serves. Many of these people are elderly and require treatment for life-threatening medical conditions.

Santa and his helpers delivered to me 12 bags full of 55,000 letters and signatures in support of North York Branson Hospital. Now that the budget bill is going to give the Minister of Health the unprecedented, unilateral, dictatorial power to close hospitals, and having regard for the minister's own health, I'm going to send over to him just two of the 12 bags as tangible evidence of the major concern expressed by citizens who are desperate to see their health service maintained.

I'm sure that Mayor Mel Lastman and President Jack Gallop, who are sitting in the members' gallery, will agree with me that if you were to ask the citizens served by North York Branson Hospital who was supporting the changed role for Branson hospital, the answer would be a resounding "Nobody."



## TRANSFER PAYMENTS TO MUNICIPALITIES

**Mr David Christopherson (Hamilton Centre):** As a result of yesterday's attack on the people of Ontario, the brutal assault on municipalities is now becoming quite clear: 47% in cuts over two years. In Hamilton alone, in the next budget, it's being estimated by Mayor Morrow at possibly \$9 million. Yet this government has said: "You're supposed to do this, municipalities. Find all these cuts without raising taxes." What kind of options does that leave our municipal counterparts?

In Hamilton, Councillor Dave Wilson is suggesting it may mean 400 jobs. We know it's going to mean user fees in areas that have traditionally been a part of public service. Library branch closings are now on the table, seniors are having to pay an increased cost for their drug benefits, hospitals are being cut, public transit's being cut, junior kindergarten is being cut—all of that affecting the most vulnerable people in our society.

Again we see this government going after working people, going after seniors, going after the most vulnerable. And what's the bottom line? Not to take care of the deficit. The bottom line is to make sure you've got enough money to give a huge tax cut to your wealthy friends. This is obscene, and eventually you will feel the wrath of the people of Ontario as all of this becomes very clear.

## WORLD AIDS DAY

**Mr John Hastings (Etobicoke-Rexdale):** Tomorrow is World AIDS Day in Ontario and I would like to urge all members to join with me in recognizing its importance in raising awareness and understanding of HIV and AIDS.

The World Health Organization estimates that over 20 million people worldwide have been infected with HIV, including 1.5 million children. In Ontario, we have almost 12,000 people living with HIV, many of whom also have AIDS, unfortunately.

The theme for World AIDS Day this year is "Shared Rights, Shared Responsibilities." This theme was chosen to underline how essential both rights and responsibilities are in the context of HIV/AIDS. Governments in particular have a responsibility to ensure that laws, policies and practices prevent the spread of HIV, and they must also work with those people living with HIV/AIDS to protect their rights and to create an environment of support.

Individuals with HIV/AIDS also have rights and responsibilities. They are entitled to all human rights, without discrimination based on actual or suspected HIV status. They also have the responsibility to avoid putting others at risk of HIV infection.

I am happy that the Minister of Health indicated in his AIDS Awareness Week House statement that—

**The Speaker (Hon Allan K. McLean):** Order. The member's time has expired.

## VISITORS

**The Speaker (Hon Allan K. McLean):** I'd like to inform the members of the Legislative Assembly that we have in the Speaker's gallery today the Honourable Vic Toews, Minister of Labour; Mr Tom Farrell, Deputy Minister of Labour; and Miss Caroline Sopuck, from the

Legislative Assembly of Manitoba. Please join me in welcoming them here today.

## PARLIAMENTARY PROCEDURE

**Mrs Lyn McLeod (Leader of the Opposition):** Mr Speaker, I rise on a point of privilege, as I attempted to rise on a point of privilege yesterday afternoon when I first became aware that my privileges as a member of this assembly, and I believe the privileges of all members of this assembly and particularly those in the opposition parties, were seriously breached yesterday.

You will know that it is my duty as a member to raise any concerns I may have about a bill that is presented, on the first reading of the bill. Yesterday, my privileges as a member, which give me the ability to carry out my responsibilities as a member, were breached. The government introduced a bill called an omnibus bill, in fact a budget bill, with wide-sweeping powers being given to this government at a time when it was impossible, because of this government's other actions, for me as a member to rise and make my concerns known on first reading.

In fact, it was impossible for me as a member and the leader of my party to even know that this bill was being introduced. It was impossible for me to be able to communicate with the members of my caucus so that other members of the caucus could raise their concerns about this budget bill.

Mr Speaker, I'm sure you're aware of the circumstances under which this bill was introduced yesterday. There was a financial statement presented yesterday. The government chose not to present a budget but nevertheless treated the information about the financial statement in the way a budget would have been treated. What that meant for me, as the leader of our party, was that in order to be informed about this serious financial statement the government was making I had to enter a lockup and could not leave that lockup until after, as it turned out, the minister had begun to read his financial statement.

I had no choice about this, nor did I have any knowledge that while I was in that lockup with other members of my caucus—a lockup orchestrated by the government, required by the government even though it was not presenting a budget—the government was introducing a bill without prior notice to our House leader or to the House leader of the third party. We were aware that at some point there would be an omnibus bill introduced. We were given no information as to what would be included in that omnibus bill. We were told only that there would be an omnibus bill and that the government would expect to have that bill passed before Christmas; in other words, with virtually no debate in this House.

Mr Speaker, you've been a member of this Legislature for some long time, and I think you will know that normally an omnibus bill, which is quite in order for a government to present, would be basically a house-keeping bill, one which all members of the assembly would agree does not require a great deal of debate nor a great deal of public consultation and which, with us carrying out our responsibilities as the official opposition, could willingly have been both received and considered and potentially passed by Christmastime.

But in fact this was not an omnibus bill presented as any other omnibus bill has ever been presented or ever been defined in the history not only of this Legislature but I believe of Parliaments across this country, because this was indeed a budget bill by any other name. I believe again a breach of the privileges of members of this House that a government that is not presenting a budget can present a budget bill and can do that even before the financial statement has been read.

1350

Mr Speaker, you will be aware, I'm sure—and I became aware only when I sat down in my place while the Minister of Finance was reading his statement—that the government had brought in a bill which affected no less than 26 acts, and there may be more, because that was a quick count while I was obviously somewhat diverted by the minister's statement. It is a bill which gives this government power to implement its financial plans, and that by any other name is a budget bill.

It is a bill which gives this government, act by act, the most sweeping, dictatorial powers that this Legislature has ever seen, and most particularly, sweeping and dictatorial powers to the Minister of Health to close hospitals unilaterally.

To think that a government could present a bill of this nature without notice, without any indication of what would be in this bill; to do it at a time when we were, under the government's orchestration, in a lockup, unable to even be aware it was being introduced and so raise our concerns on first reading as we are required according to our responsibilities to do; to think that they could do that; to think that they could then expect that this kind of bill would be—not debated, because we will not have an opportunity for debate, but passed without debate, without consultation, without due consideration, before Christmas, is truly a breach of the privileges of every member of this House.

Mr Speaker, I suggest to you that the way in which this was introduced was arrogance of a kind that we have never seen in the Legislature of Ontario before, that it is an abuse of power of a kind that we have never encountered in this province before. It is an abuse—and I ask you to rule on this—of the privileges of the members of this House, because if this government can behave in this way, it takes away from us our ability and our duty to debate the issues that are of public interest. That is our very reason to be here.

Mr Speaker, if this government, with your acquiescence, makes this kind of action possible, then there is no democratic process, there is no role for the opposition, and the whole process of democracy is undermined in this place.

**The Speaker (Hon Allan K. McLean):** The member for Windsor-Riverside on the same point of order?

**Mr David S. Cooke (Windsor-Riverside):** Yes, Mr Speaker, on this point of order, and I have a number of points of order that flow out of yesterday that I would like to raise.

Yesterday, as the Leader of the Opposition indicated, there was an incident in the Legislature, and there was

actually another one earlier in the afternoon that was very similar. Earlier in the afternoon, attempts were made by the deputy House leader for my party, the member for Dovercourt, and, I believe, the House leader for the official opposition, when the omnibus bill was introduced, to raise with you a point of order. At that point, you refused to listen and the House was adjourned.

Points of order and points of privilege were called later in the afternoon, after the economic statement was given, by my leader, by myself, by members of the Liberal caucus, and this occurred after the Finance Minister finished his speech but before adjournment of the House.

I might say, we all wanted to raise a point of order earlier and we held off because we thought it was appropriate to let the Treasurer give his statement. It was on national TV, it was on province-wide TV, and we were attempting to be courteous. We paid the price by doing that.

Standing orders 21(a) and (b) outline what a point of privilege is. Standing order 21(b) states, and I quote, "Whenever a matter of privilege arises, it shall be taken into consideration immediately." This was not done by you, Mr Speaker.

Obviously, all of us consider this to be a very serious matter. I want to quote from Erskine May, the 21st edition, on page 307:

"Urgent matters which require the immediate intervention of the House, if they should occur during a sitting of the House, may be raised at once in spite of the interruption of the debate or other proceedings.... A complaint on such a matter is entertained by the House as soon as it is raised."

You wouldn't even allow us to raise it.

On page 28 of Beauchesne's, the sixth edition:

"By its nature, a question of privilege"—because there were points of order and points of privilege that were being raised, or attempted to be raised—"is of such importance that it may be raised at any time, and standing order 48 makes provision for the precedence of a question of privilege over all other business of the House. A question of privilege arising out of proceedings in the chamber, during the course of a sitting, may be raised without notice."

So clearly we were in order.

Again in Beauchesne's, page 97, sixth edition:

"Any member is entitled, even bound, to bring to the Speaker's immediate notice any instance of a breach of order." This is on a point of order. "The member may interrupt and lay the point in question concisely before the Speaker. This should be done as soon as the irregularity is perceived in the proceedings which are engaging the attention of the House. The Speaker's attention must be directed to a breach of order at the proper moment, namely the moment it occurred."

If anything, Mr Speaker, perhaps we were both wrong. We should have raised it immediately, and you obviously had the obligation to recognize it when it was raised.

"A point of order may be taken after a debate is concluded and the Speaker is about to put the question to



a vote or after the vote has been taken—in fact, at any time, but not so as to interrupt when the Speaker is addressing the House. Even the provisions in standing orders that action must be taken ‘forthwith’ or ‘forthwith without debate’ with respect to certain proceedings do not bar a member from raising a point of order when a serious irregularity occurs.”

That is absolutely clear. Members must, Mr Speaker, have confidence in the Speaker and that the Speaker will be fair and evenhanded. They must, as a minimum, expect that points of order and points of privilege will be listened to. You can’t just adjourn the House and say, “I refuse.”

As I said earlier, we didn’t raise the matter earlier during the budget speech. Maybe we should have, but we were doing it out of respect and as a courtesy to the House.

That’s one point of order, and I believe that’s in line with the point that has been made by the Leader of the Opposition. My second point, and it all is related, deals with the omnibus bill. Standing order 38(c) states very clearly:

“On the introduction of a government bill, a compendium of background information shall be delivered to the opposition critics. If it is an amending bill, an up-to-date consolidation of the act or acts to be amended shall be delivered to the opposition critics unless the bill amends an act amended previously in the session.”

By our calculation, the omnibus bill introduced yesterday by the Chair of Management Board on behalf of the Treasurer amends 46 acts. We received a compendium yesterday after the bill had received first reading. We received copies, and very few were copies of the acts that were being amended. The introduction of the bill was not in order. We still do not have full copies of the acts that were being amended.

The Savings and Restructuring Act amends the Capital Investment Plan Act, 1993. We didn’t receive a copy of that act. The Savings and Restructuring Act amends the Highway Traffic Act. We did not receive a copy of the Highway Traffic Act. The Savings and Restructuring Act amends the Regulated Health Professions Act, 1991. We did not receive a copy of the Regulated Health Professions Act. The Savings and Restructuring Act amends the Forest Fires Prevention Act. We did not receive a copy of that act, and the list goes on and on.

Mr Speaker, clearly, on that point alone, the bill that was introduced yesterday is out of order.

I want to go on and talk specifically why the omnibus bill, even if you rule at that point that it was in order and has been introduced, why the bill itself is out of order.

First of all, I believe the bill introduced yesterday is clearly out of order if you take a look at precedents and you take a look at our rules and you take a look at Beauchesne and other books that we use to guide this place.

The bill amends 43 pieces of legislation, creates three new pieces of legislation and repeals two others. In effect, the bill is the entire legislative agenda for this government.

There is no reference, as you know, to omnibus bills in our rules. Therefore, we have to turn to Beauchesne, and I want to quote Beauchesne, page 192: “Although there is no specific set of rules or guidelines governing the content of a bill, there should be a theme of relevancy amongst the contents of a bill. They must be relevant to and subject to the umbrella which is raised by the terminology of the long title of the bill.”

#### 1400

The bill is entitled An Act to achieve Fiscal Savings and to promote Economic Prosperity through Public Sector Restructuring, Streamlining and Efficiency and to implement other aspects of the Government’s Economic Agenda. “The purpose of the bill is to achieve fiscal savings and promote economic prosperity through public sector restructuring, streamlining and efficiency and to implement other aspects of the government’s economic agenda.”

The bill enacts, as I said, three new acts and amends dozens of existing acts. As already stated in Beauchesne and quoted in Beauchesne, there must be a theme. All amendments must be relevant to the subject and the terminology of the long title of the bill, as I’ve already said from Beauchesne.

Let me give you some examples where that does not stick. Public sector salary disclosure is in schedule A of the bill. That’s a brand-new piece of legislation that was referred to and announced a couple of weeks ago or a week ago by the Treasurer. It should have been a separate piece of legislation, and as a separate policy did not flow in any way, shape or form out of yesterday’s finance statement.

Amendments to the Corporations Tax Act, schedule B: What does that have to do with restructuring the public sector? It’s a tax bill; it’s not a restructuring bill.

Amendments to the Income Tax Act: again, the same point.

The Ontario Loan Act: This has always been a separate act that flows out of a budget. It has nothing to do with restructuring.

Toll roads: It has nothing to do with restructuring. It’s minor amendments to facilitate the implementation of toll roads in this province.

Hospital restructuring: a major section on hospital restructuring that, as the Leader of the Opposition said, centralizes power in the health care system as we have never seen in the history of this province; amendments again, in this section, with respect to independent health facilities and other areas of the health care field.

Schedule G, the Ontario drug benefit program, sets up an entirely new concept, not to restructure but to devise a way of having revenue. It’s a revenue bill, that’s what this section is about; it’s not a restructuring aspect of the bill. It does not relate to the long title of the act.

Schedule H deals with physicians. Again, it gives power to the Minister of Health that we have never seen before. It does not deal with the restructuring of the health care system; it deals with empowering the minister to say who can go where and who can do what in this province, and it centralizes it all in the Cabinet Office with no public consultation.

Pay equity, amendments to the pay equity law: What does that have to do with restructuring the public sector? That's schedule J of the bill.

Freedom of information act: This imposes fees and deals with appeals and frivolous applications. That's a new policy. That has nothing to do with restructuring; that's a policy change.

Public service pensions: What do changes to public sector pensions have to do with restructuring the way that government is delivered in this province?

I ask the backbenchers of the Conservative Party to take a look at schedule M. Schedule M gives powers to the Minister of Municipal Affairs that I believe will make anyone who comes from a municipal council shiver when they read that section. The entire restructuring of the greater Toronto area could occur, if this is passed, without ever coming to the Legislature, without ever having public hearings. That's the kind of power in that section.

Schedule M of the bill: new fees, licences, all sorts of new powers that are given out, again not restructuring. That's a new form of revenue. It has nothing to do with the long title.

Schedule O, the Mining Act: Look at that section, Mr Speaker. That has nothing to do with restructuring.

Schedule Q, changes to a number of acts with respect to interest arbitration: again, not restructuring the public service, but simply changing the way that arbitration takes place in a very negative and controversial way, but not in tune with the long title of this act.

On a humorous note, this bill even repeals the Bread Sales Act. Now, I don't know what that has to do with restructuring.

Members get one vote, despite the fact that they may agree with parts of this bill or seriously disagree with other parts of the bill. On November 12, 1912, the Speaker of the British House of Commons made the following ruling: "The rule is if any honourable member feels embarrassed on voting on a resolution that the Chair shall revise the resolution in order that the member may, if he wishes, vote aye or nay to any part of the bill; or the other, not embarrass him by having to vote aye or nay to the whole of the bill."

I have radically different feelings about user fees for the Ontario drug benefit program than I do to a system of public sector salary disclosure. The fact that both these matters—which, I might add, are completely unrelated—are in one bill is a violation of my privilege as a member.

I may feel differently about the obstruction-of-licence-plate amendments to the Highway Traffic Act than I do about giving cabinet the power to completely redraw every municipal boundary in this province without ever coming to the Ontario Legislature.

I may feel differently about the repeal of the Bread Sales Act than I do about the Physician Services Delivery Management Act. But under this procedure, I have no way of expressing that.

On January 26, the Speaker of the federal House of Commons was faced with this issue. His response was:

"In my view, it should be the responsibility of the Chair when such a bill is introduced and given first reading to take the initiative and raise the matter for the consideration of the House by way of a point of order, as I have taken the liberty of doing with a number of private members' bills. When those bills came before the House for first reading, I entered a caveat about them and gave honourable members the opportunity of expressing their views. At any rate, some of these bills were refused by the Chair."

In 1982, the Speaker of the House of Commons made the following statement in relation to omnibus bills: "When another omnibus bill is proposed to the House, it should be scrutinized at first reading when all honourable members would be given an opportunity to express their views and the Chair could express its view as to whether the bill goes too far or is acceptable from a procedural point of view."

Again, I return to what this is all about. This is not an acceptable omnibus bill. It is out of order. There is not one theme. All sections of the bill are not related to the long title of the act. I repeat, the long title of the act is An Act to achieve Fiscal Savings and to promote Economic Prosperity through Public Sector Restructuring, Streamlining and Efficiency and to implement other aspects of the Government's Economic Agenda. Some aspects don't even deal with the public sector; they deal with the private sector.

The way the bill was introduced, in addition to the contents of the bill, was despicable. The contents of the bill are despicable. The overwhelming impact this bill will have on Ontario requires that this matter be taken extremely seriously.

Speaker, you must protect the procedures of this place, the rules of this place, the rights of the minority and the democratic process in the Legislature in this province. You must rule this bill out of order.

1410

**Mr Sean G. Conway (Renfrew North):** I'd like to speak to Mrs McLeod's original point of privilege, though my remarks will touch on a number of the points that have been made by the previous speaker from the New Democratic Party.

I want to say at the outset that we have before the House this afternoon in this issue a matter of fundamental importance for this Legislature. I think it is fair to say that the budget bill, Bill 26, which was presented yesterday in the name of the government by the Chair of Management Board is, in my view, the most extraordinary piece of legislation that this assembly has seen since that day in March 1964 when the then Attorney General, Fred Cass, presented the notorious police bill, Bill 99.

I think I can say as well that never in my time has there been a bill that is so unprecedented in what it proposes to do, and we will have a debate this afternoon because of the extraordinary and unprecedented nature of Bill 26.

Let me say at the outset that Her Majesty's new Ontario government won a clear mandate on June 8 to form a government and to present a new set of policies



and a new program to this assembly and to the province at large. I take no quarrel with their right to do that. But in the British parliamentary system there are rules that govern the way in which governments, oppositions and parliaments behave, and Bill 26, I submit, strikes at the core of the way in which we do business here and therefore the way in which our privileges are at issue.

Now, you might say, Mr Speaker, and my colleagues, new members particularly, might say: How is this bill extraordinary? What is in this bill that is unprecedented? Let me tell this House how it is that this is an extraordinary and an exceptional and an unprecedented piece of legislation. What we have here is a massive budget bill, all rolled into one enactment.

Yesterday afternoon, our friend and colleague the Minister of Finance, the member for Parry Sound, stood in his place and he read the Ontario budget 1995, for all intents and purposes; some might say an economic statement. Let me say that my friend from Parry Sound's address yesterday was, I believe, the most significant and controversial budget document, budget address that has ever been read in this assembly. There has certainly not been one in the post-war period that has had at its core such controversial aspects.

I say, again, the government has won the right to chart a new course. But we had a budget address that, among other things, is enormously important, enormously significant for everyone in this province and, make no mistake about it, enormously controversial.

Before the Minister of Finance stood in his place at 4 o'clock to present that budget address, the Chair of Management Board, surreptitiously almost, presented a massive budget bill to this assembly; and I might add, as others have, a massive budget bill was presented to the House while honourable members were locked up in another place.

Now let me turn to my concern about the privileges of honourable members. I can't think of a better place to start than the notion that budget bills will be presented to any self-respecting Parliament while members of that Parliament are, for reasons that we understand, locked up in another place.

One would not think to write in any parliamentary creed a rule to protect against that kind of activity, because I think all reasonable people would imagine that no one would inadvertently, or otherwise, attempt to do it. But that is what happened yesterday and, let me submit, that is a fundamental matter of privilege for all honourable members.

I can't imagine what Ernie Eves and Mike Harris would have done if Bob Rae or David Peterson, or Bob Nixon or Floyd Laughren, had locked them up while a budget bill was being presented. I can only fantasize at the eruption. The paint would have literally peeled off this chamber.

I want to also make a point that has been made by the member for Windsor-Riverside. In a judgement in 1971, Mr Speaker Lamoureux, I believe one of the most successful and highly regarded Speakers of the Canadian House of Commons in the history of that illustrious

place, argued that it was his view that members had an obligation to object to these kinds of bills on first reading. I'll cite more specifically the Lamoureux judgement if you would like it, Mr Speaker, but I have it in my hand.

So for those who might—and I think, sir, this has to be something that you and our good friends at the table must reflect on. In a very relevant, related case, the omnibus bill brought forward by the Trudeau government in 1971 to reorganize much of the government of Canada, there was a very interesting debate about the propriety of a single bill that gathered together in one place a number of enactments that seek to change or amend several statutes. In that case, it was argued by the government that they could do so because the matters at hand essentially related to the way in which the government of Canada was organized.

But I want to cite very quickly from the judgement of Mr Speaker Lamoureux on January 26, 1971, when he dealt with the concern that members of Parliament—the distinguished Stanley Knowles, among others. A former Speaker, Mr Lambert, engaged the debate, as did Bob McCleave, a very well-known and highly regarded Conservative from Halifax.

When those gentlemen raised the concern about the propriety of a single bill that did so much, Mr Speaker Lamoureux responded, in part, with some of the following observations, and let me quote from Mr Lamoureux's judgement:

"There is no doubt in my mind that there is considerable substance to the point raised by the honourable member from Halifax-East Hants, Mr McCleave, who raised the objection at first instance."

Mr Speaker Lamoureux goes on by saying that he was "quite impressed by the argument advanced by other honourable members in support of the objection," including the very illustrious Mr Stanley Knowles. Mr Speaker Lamoureux says: "I think that, in a way, he has a legitimate grievance and complaint."

He goes on, Mr Speaker Lamoureux, "My problem is of course whether he can advance a legitimate procedural argument, and there's where I find some difficulty. As the House knows, the Chair has to be guided to a considerable extent by precedents established over a number of years," and he goes on to indicate that in fact there are precedents, and I am sure that the table has in fact raised this with you.

But Mr Speaker Lamoureux in his judgement said:

"Honourable members who have raised the complaint about a series of initiatives that are gathered together in one place, having to do only with the way in which the government of Canada is organized, have a legitimate grievance and complaint."

Again from Mr Lamoureux's judgement at the time, and I won't go on unduly with this point but I think this is a very telling set of observations from I think the most illustrious Speaker of the House of Commons in many a time, he said:

"Perhaps honourable members might have wanted to say the same thing about the bill now before the House.

There's no question, without going further into details, that there is a long-established practice of gathering some of these matters together." And he goes on to cite, but he says, and this I think is the telling point: "However, where do we stop?" says Mr Speaker Lamoureux, "Where is the point of no return?"

The honourable member for Winnipeg North Centre, Mr Knowles, and I believe the member from Edmonton West, former Speaker Lambert, said that:

"We might reach the point where we would have only one bill, a bill at the start of the session for the improvement of the quality of life in Canada, which would include every single proposed piece of legislation for the session. That would be an omnibus bill with a capital O and a capital B. But would it be acceptable legislation? There must be a point where we go beyond what is acceptable from a strictly parliamentary point of view."

I think the point is very well made. That was in 1971.  
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Then we come to 1982. I was struck by a debate that members will remember, particularly Conservative members, that brought about one of the most controversial periods in the modern parliamentary practice of the Canadian Parliament. Interestingly, it was a speech that began moments after Mr Robert K. Rae announced his resignation from the House of Commons to come to lead the Ontario New Democratic Party.

The debate began on March 2, 1982, and it concerned the enormously controversial Trudeau government bill having to do with the implementation of the national energy program. It is fair to say that all hell broke loose for over two weeks. You will remember that the bells rang, members refused to come back into the House, because essentially the issue was, did the government have the right to gather together a series of energy initiatives in one bill and proceed in that omnibus fashion?

It was a nasty, ugly, unforgettable time for the Parliament of Canada. But I just simply raise the point today: The issue at stake in that notorious debate and bell-ringing was the Trudeau government's advance of a single bill incorporating several very controversial initiatives in one sector, namely, the energy sector.

We had in 1982 M<sup>me</sup> Sauvé's response: "What am I to do? Technically, the government has the right, based on precedent." I think there is no doubt that looking at the precedents of the Canadian Parliament, which have to be a guide, there is a precedent that allows governments to bring forward certain omnibus bills.

We have in recent times in this chamber done it ourselves—I think I'm correct—in the previous Parliament, when we treated three collateral bills in the health sector—the Advocacy Act, the Consent to Treatment Act and the Substitute Decisions Act—as a piece. I think there was some agreement and understanding that those very interrelated initiatives could be dealt with as a piece.

**Mrs McLeod:** Fully debated.

**Mr Conway:** Fully debated, I agree.

**Interjection:** Hearings.

**Mr Conway:** I will come to that in a moment.

Again I mention the 1971 precedent in Ottawa, because there you had a gathering together of government reorganization initiatives. In 1982, we had a gathering together of very controversial bills to implement the national energy program.

What have we here? We have here an unbelievable budget bill that seeks to take and wrap into one place an enormous number of hugely controversial government budget measures. And we have more, we have more. Hellish as Marc Lalonde and Bud Drury might have been in 1971 and 1982, we had at least the willingness of the government to say, "We will provide ample debate for these initiatives."

What have we here? We have this draconian piece of legislation and we have more. We have the statement of the government that we intend to pass this unprecedented, extraordinary budget bill in 20 days, with little or no debate in the chamber and no opportunity or very little opportunity for anyone outside of this place to come and tell us what they think of its several significant and controversial measures. I say, and I say advisedly, that not since March 1964, when Fred Cass announced the police bill have we seen in this place anything so extraordinary and unbelievable.

You're asking me to wind up, Mr Speaker, and I recognize that, but I want to make it clear that there is a very important issue at stake here—and I'm sorry if I'm trying the patience of some honourable members—but I want to say that there are people in Orillia who will be deeply concerned that this unbelievable bill gives sweeping new powers to the Minister of Health to unilaterally shut down Soldiers' Memorial Hospital in Orillia without reference to anybody or anything.

I expect that people in Orillia and Oro township and in Penetanguishene will want some honourable members to stand in this House and say: "Hold on. Hold on here." We may want and expect change, but any bill that gives sweeping powers, unilateral powers to the Minister of Health to shut down public hospitals, to take over public hospitals, any bill that gives sweeping powers to the Minister of Municipal Affairs to reorganize municipalities, to create by regulation new regional governments, is a bill that they will care about in Montague township and in Arthur and in Clarkson and in Listowel and certainly in Renfrew.

I say this is what this bill does. Make no mistake of it. Make no mistake that this is extraordinary because of those incredible provisions. The government has clearly won a right to change the course of Ontario's public policy; they have not won the right, no government ought to have the right, ever, to proceed with such unilateralism, with such callous regard to an appropriate time for legislative scrutiny and public interest.

Let me quote but one reference from Beauchesne's Rules and Forms of the House of Commons of Canada. Let me just cite what I think is an extremely important reference that underlies the governing spirit of the British parliamentary world, from which we have descended and of which we are all undoubtedly proud. Reading from page 3, citation 1, in Beauchesne's Rules and Forms, sixth edition, 1989,



"The principles of Canadian parliamentary law are:

"To protect a minority and restrain the improvidence or tyranny of a majority; to secure the transaction of public business in an orderly manner; to enable every member to express opinions within limits necessary to preserve decorum and prevent an unnecessary waste of time; to give abundant opportunity for the consideration of every measure, and to prevent any legislative action being taken upon sudden impulse."

I think that is very good and timely advice. Let me conclude with a couple of observations. One of Ontario's oldest newspapers, now Canada's national newspaper, arrives on our doorstep every morning with an injunction. Let me read it to you. I'm sure our friends at 444 Front Street, the proud heirs to the great tradition of George Brown, the proud founder of my party—I'm sure that Messrs Thorsell, Coyne and Co would want me on this day especially—

**Mr Gilles Pouliot (Lake Nipigon):** Get on with it, Sean.

**Mr Conway:** —to read this, and it is the advice of Junius. I want my friend from Nipigon to listen, because this is on the editorial page of the *Globe and Mail* every day and I think it is good advice to every member of this assembly and to every citizen in this democracy we call Ontario.

Quoting Junius, the *Globe and Mail* reminds us, "The subject who is truly loyal to the Chief Magistrate will neither advise nor submit to arbitrary measures." Junius was right and the *Globe* is right to, on a daily basis, remind us of that.

I say in conclusion that I cannot imagine a more arbitrary measure than this bill, and most especially the concept that we would pass it almost on the nod between now and Christmas. It would be, to me, a complete and utter abdication of our fundamental responsibilities.

This may be the way of Cobb county, Georgia, this may be the advice of the Republican National Committee, but this is not the way of the Ontario in which I have grown up and of which I am proud.

It is one sad and terrible thing for the new Premier of this province to so abjectly, so transparently, so wantonly, break faith with the people of Ontario and break his word on matters of health policy. But it is to add insult to injury when we have presented to us a budget bill that seeks to give this government new and unprecedented and, yes, dictatorial powers to march down its road of reform.

When does revolution become dictatorship? It becomes dictatorship when this House is presented with, and passes on the nod, Bill 26.

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**Hon Jim Wilson (Minister of Health):** Mr Speaker, on a point of privilege: The member for Renfrew North owes the people of Orillia and the good people who work on the front lines of Soldiers' Memorial Hospital an apology for scaremongering. He does a disservice to that community. He knows that is a high-performance hospital and there are no plans to close the hospital.

*Interjections.*

**The Speaker:** Order. I recognize the member for York South, the leader of the third party.

**Mr Bob Rae (York South):** Mr Speaker, I hope you will bear with me. It is not for any political reason but because of a tendency of the cold virus I get to affect my voice that I have to speak quietly. I hope no members will confuse the fact that I'm speaking quietly with the emotion I feel on this occasion.

Mr Speaker, I don't think you're going to make a more important decision than the one you have to make with relationship to this bill.

My colleague from Renfrew, in his quotation from Mr Speaker Lamoureux, put his finger on the problem, and that is this: I think it's well-established law and precedent in the House of Commons and in this Legislature that a government may introduce an omnibus bill. I don't think there's any question about that. While some of us may object to particular aspects of such a bill, the premise that a government can combine in one piece of legislation a variety of amendments to acts in order to carry out a common purpose or a common cause or a similar theme is without dispute.

Let me make the task of the House leader on the other side a little easier by saying to the Deputy Premier that if he wants to bring forward the precedents where he will say, "You did this and you did that and we did this and we did that," there's no dispute about that.

I think the test you have to apply, sir—and it is not an easy test, but I believe it is the one you must apply in this instance—is whether the government has not in fact drawn the net so wide in terms of the number of bills and type of bills and type of powers which are now given to ministers in different subject matters and covering different pieces of legislation that what we have is precisely the monster Mr Speaker Lamoureux referred to in his judgement.

That is a government which in one bill, in one single piece of legislation, brings together such serious matters with respect to legislation and advises us of its plans to proceed before Christmas, which is to say in two or three weeks maximum, that I think, sir, we have no choice but to ask you for some relief. We do so not simply in our own names, but we do so in the names of those citizens of the province whose rights are going to be affected very clearly by the legislation which the government intends to bring in. Let me show you how.

First of all, members hold up this act. That's not the story. This is the story. This is what we are being told we must pass before Christmas. This is what we are told is the government's agenda with respect to implementing the Common Sense Revolution, whatever phase we're in.

I'm here to say to you, Mr Speaker, that I think you've got a real problem on your hands. So does the government, frankly, and so do the citizens of the province.

Here I want to try to distinguish between the spirit of partisanship and the problem we all face as members. I'm going to refer to a number of pieces of legislation. My colleague from Windsor-Riverside has quite clearly shown the number of areas of public concern that are touched by the legislation which is proposed.

Having said that, let me say that I fully endorse the comments that were made by the Leader of the Opposition as well as by my colleagues from Renfrew and from Windsor-Riverside with respect to the manner in which this legislation was introduced. It was underhanded, it was by the back door, it was done at a time when we were all in a lockup and had no way of knowing what the content of the legislation was, no particular notice. There are a number of issues which my colleague has raised which are relevant and which cast doubt on the act itself.

But I want to refer to some broader issues, if you will permit me to, Mr Speaker, because while I don't think your judgement can be affected by politics, we are all in the game of politics, and therefore I think we have to see the broad political context in which we are working.

The government was elected with a very clear program, which program was referred to specifically in the speech from the throne. That program is a document to which, sir, you now must have reference, because it is a document to which the government itself in numerous statements in this Legislature has made direct reference. It is the guide to which we are all referred. That document has a program which can be summarized perhaps most effectively on the single sheet which is part of the platform which the Harris government distributed and still distributes as the program of the government.

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That program says this, and I'm quoting directly from this document:

"This is what Mike Harris will do for Ontario:

"(1) Cut the provincial income tax rate by 30%. The average middle-class household will save \$4,000 in the first three years.

"(2) Cut non-priority government spending by 20%. Health care, education and policing will not be included in spending cuts.

"(3) Eliminate barriers to job creation. Abolish payroll health tax, labour laws, and freeze Ontario Hydro rates.

"(4) Cut the size of government. Do better for less through rigid standards, privatization and contracting out."

"(5) Balance the budget in four years.

"This is the Common Sense Revolution and it will create more than 725,000 new private sector jobs.

"For more information, call 1-800-903-MIKE."

In the schedule which is attached to the short form of the bill—I can only call it the short form, because this is the long form. We are told that it is the government's intention to bring in a bill which will have several schedules attached. To some of those schedules we can really have no particular objection because they do relate very directly to the announcement which has been made; they do relate very directly to the direction which has been set out.

But I must confess to you that when I read, for example, under schedule F, where we are told:

"Part II

"Amendments to the Public Hospitals Act

"The minister is given the broad power to fund hospitals in the public interest. The present requirement, in sections 5 and 6 of the Public Hospitals Act, that the minister fund hospitals in accordance with regulations, is removed." I'm quoting from the wording that's here. "The minister is given the power to reduce, suspend, withhold or terminate funding to a hospital if the minister considers it in the public interest to do so."

That comes, if I may say so, from a government that was elected with a very specific promise that it would cut non-priority government spending by 20% but that health care, education and policing would not be included in the spending cuts.

We find that the powers being given to the Minister of Health are the most draconian, the most absolute, the most dictatorial, I would say, in terms of the power given to one minister to exercise his discretion when he sees fit that I've ever seen in this province. And that is in respect to a service that was so important to this government that they promised they would not cut it, and it was on that basis that they won a mandate from the people of the province. Now, in the space of two weeks, they are asking us to simply lie down and let them take this away as if nothing had been done, as if no commitments had been made.

We have amendments to the Private Hospitals Act, to the Independent Health Facilities Act, to the Drug Benefit Act, to the Health Care Accessibility Act, to the Health Insurance Act and to the Physician Services Delivery Management Act which give powers to the minister to decide who shall practise medicine, where they shall practise medicine, when they shall practise medicine, on which terms they shall practise medicine. I say with great respect to my Conservative colleagues, if I or any one of my colleagues had suggested this in our time in government or if any of these individuals had suggested it in their time of government, you would have gone down there and waved the mace and taken it out of the Legislature.

It is unparalleled for a government to be giving these powers to the Minister of Health and to the general manager of the Ontario health insurance plan without any indication of a willingness to dialogue, without any indication of a willingness to have hearings, without any indication of a willingness to have a process by which this province will come to terms with these kinds of powers.

I say to my colleagues in the Conservative Party who are listening carefully to what I have to say, I say to each and every one of you that you will have no more power or authority than I do with respect to what happens to your hospital in your area. You will have no more ability to deal with it. My colleague from Etobicoke laughs. Let me tell my colleague that when we see a government that moves entirely by regulation, entirely by ministerial discretion, without so much as a "by your leave" to a legislative or legal process, that is a step down the road towards a province which we truly, I believe on balance, do not want to have.

With respect to municipalities, the powers being given to the Minister of Municipal Affairs are equally grave.



The Minister of Municipal Affairs now has the unilateral right to decide what form a municipality may take. The cabinet can, by order in council, redraw the boundaries unilaterally—unilaterally—without so much as a hearing, without so much as a process, without so much as a “by your leave.”

I'm not suggesting that the government couldn't do this with respect to the Municipal Act if it brought this legislation forward in amendments to the Municipal Act and said: “This is what we want to do. What would the normal process be?” I will outline for the many members who haven't been here before what the normal process in this instance would be.

The government would bring forward a piece of legislation. It would relate to the single subject matter of the Municipal Act. It would then be debated and sent to a committee. There would be an agreement that it was of such importance that hearings would be held. There would then be a chance to amend the bill and to change it. There's no opportunity to do that with this proposal from the government. There's no chance for that to take place with this particular proposal. There's no opportunity for that to happen.

I say to my colleagues from any part of the province, whether you live in the greater Toronto area or whether you live anywhere else, all the reforms being suggested to the GTA, who can make those? The Minister of Municipal Affairs can go to the Premier and say: “I think this is a good idea. What do you think? Let's go to the cabinet and get it done.” Done. Bingo. Pow. Over. Over.

This goes too far. It goes too far. It does too much. It takes away too many powers from too many people, not just the members of this Legislature. I say to my colleagues, reflect for a moment on the implication. You are changing the terms and conditions under which doctors will be allowed to practise their profession in this province. Do you not think you have an obligation to discuss that with the physicians, to have hearings, to have a process under which that is done? They're going to take you to court. They'll take you to court on Monday. They've done it in British Columbia. They're doing it in every other province. The Supreme Court of Canada refused to hear the appeal when it was done in British Columbia.

I would say to my colleagues, you cannot proceed in this way, and, Mr Speaker, you cannot allow them to proceed in this way. You have to consider the implications of what it is the government is trying to do in a single piece of legislation. I would say to you, sir, that in the traditions of this House sometimes the Speaker is dragged to his or her chair when elected to the speakership. I think we know now why that is.

It's not just the members of the opposition who are looking to you to provide some kind of balance and some sense of propriety with respect to legislation of this kind. I would suggest to you that it is the citizens of the province. I would suggest to you that it is people who right now do not have voice, and so far they are not even aware of the dimensions and of the costs and consequences of what it is the government is intending to do.

Let me repeat and let me summarize, Mr Speaker. I do not think there is an argument that can be made that says

that any and all omnibus bills are oppressive; I do not believe they are. I do, however, believe that we can think of such an instance where an omnibus bill presented in this way would be oppressive. I believe that on any fair test which you would apply, you would have to come to the conclusion that legislation which is so fundamental to the civil rights of the citizens of this province and to rights with respect to property, the right to practise a profession, the right to have a community institution which provides health care, the right to security with respect to the nature of the municipality in which you live—all these are issues which, sir, you must recognize need to be dealt with by this House in a certain fashion.

I would say to you, Mr Speaker, that they are not being dealt with in that fashion in this instance. That is why I'm asking you to apply that test, the test that was put forward by Mr Speaker Lamoureux. There's too much here. But it's not just the fact that it's a big bill and that it's complicated; it's that it has too many implications for the civil liberties of the citizens of this province for you to allow it to be considered in the fashion in which the government is proposing it be considered.

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**Mr James J. Bradley (St Catharines):** Mr Speaker, yesterday I attempted to rise in the House to register an objection on a point of order to the minister responsible for Management Board of Cabinet when he introduced this bill while most members of the Legislature and virtually all members of the news media were locked up across the street for the purposes of dealing with the financial statement of the government of this province. I did so because I was under the impression that something underhanded was happening and I was concerned that you, as Speaker, and members of the House would want to have a major piece of legislation of this kind introduced at a time when members were expecting it would be introduced and would be aware of its contents, because of its ramifications. Indeed, many of the items contained in this legislation, in this very important piece of legislation, reflect and deal with the statement that was made by the Treasurer in the House yesterday.

So I am concerned, as I know all members are, first of all, with the manner in which this was brought into the House. I'd refer to it in my language as sneaking it into the House while others were preoccupied. I don't think that is healthy for our democracy.

Second, I want to make a point very plainly and practically that the ability of members—and this is why I believe it's a point of privilege—of this House of all parties to deal with all of the provisions of this bill appropriately within the period of time that the government contemplates, and that is before the Christmas recess—it is simply impossible to do justice to this legislation.

While I disagree profoundly with many of the powers that this allows for members of the government, with many of the provisions that are contained within this bill, I recognize the right of this government to introduce the bill and ultimately to pass the bill if it has the support of this House and is able to do so. My objection is to the fact that the government's almost entire agenda is

contained in this piece of legislation. I indicated to the government House leader this morning at the meeting of House leaders that if the government were to ram this bill through, this piece of legislation—very complex, dealing with over 40 different pieces of legislation in this province—before Christmas, you might as well shut down the Legislature for the next four years and let the cabinet rule this province.

I think it's important for all members of the Legislature, not just those of us in the opposition—and I've said this on many occasions—I hope that the government non-cabinet members, those who aren't in the inner circle, Mr Speaker, as you and I are, individual members of this Legislature, will approach the cabinet and reproach it for the manner in which it has introduced legislation of this kind.

We are limited in the House, as you know, by the rules of this House to a 30-minute address on a piece of legislation, and yet this is so complex, it contains so many provisions, so many sweeping powers that take power away from the elected members of this Legislature and give it to non-elected people and to the cabinet that we cannot possibly do justice to this piece of legislation.

I think this government has made a big mistake. I think that you, as Speaker, have an opportunity to assist the government in overcoming this difficulty, even though I recognize it's not your responsibility to do so but rather to act on behalf of the members of this Legislature. But I believe the government has made a major error and that the government should withdraw this legislation. It would save you the problem of having to deal with this. But this could be solved if the government House leader were to withdraw this legislation and introduce the bills on an individual basis.

You can make a judgement on a government, or in fact on individuals, on what they do when nobody is looking, on what they do when they know they can get away with it. Now, those who are in charge of finally dealing with what gets into the printed media and on to the electronic media, the editors who make these judgements, have never found procedural matters or rules of the House to be particularly interesting. You'll find very few articles in newspapers or in magazines; you'll see very few clips, unless it's something unusual happening in this House, on television; and you'll hear little on radio about the rules and regulations and procedures and tactics that governments employ in a House.

Yet it's so vitally important to our democracy, because what this government is doing—and you are part of this Legislature and I know you feel strongly about this parliamentary democracy that we have—is circumventing democracy, not only through the provision of these bills—and I would like to debate that later and will debate it later—which take away from elected members.

We're the only people the people can get at. They can't get at the bureaucrats; they can't get at the advisers to government; they can only get at those of us who are elected on a term basis—every three, four or five years' basis. So when you take that power away from the elected people and transfer it somewhere else, your democracy is diminished in this province.

The haste is understandable in some ways. The government is eager to get on with its legislation. If it were to pick out as a priority three, four or five bills that it would like to see get through this Legislature because it feels they are important and would have those debated, and have the others debated in January, when my colleagues and I and, I'm sure, all members of the House are prepared to return to debate important legislation, then I think democracy would be served.

Ultimately, the government can carry the case with 82 members, and that is the judgement the electorate has made and I always respect the electorate's judgement, whether or not I happen to agree with it. That is what democracy, that is what elections are all about.

If this is allowed to proceed, if this House is forced to deal with this matter in a very short period of time, with time allocation and closure motions, then I would say to you, Mr Speaker, that our democracy is the loser and the people of this province lose.

**Ms Frances Lankin (Beaches-Woodbine):** I will attempt to make my remarks brief and not repeat the points that have been made. There are three areas that I want to touch on.

First of all, with respect to the point of privilege that was raised and your actions yesterday in not receiving points of order from the floor, I want to indicate to you, as the Speaker, that you take actions and set precedents that of course the deputies who work under your guidance follow suit. Of course, I'm referring to the event that happened today in private members' hour at 12 o'clock. The Deputy Speaker, who was in the Chair, upon announcing the results of the vote on a private member's resolution, refused to recognize the member for Oakville South, who stood on a point of order, and indicated that that point of order would be dealt with later, much like your statement yesterday. I ask you to review that action at the same time as you respond to the points that have been made with respect to your actions yesterday.

Secondly, on the point of privilege with respect to the introduction of the bill while members of the opposition in particular were engaged in a review of the Minister of Finance's economic statement in a lockup, much similar to a budget procedure, I want to also ask you to look into an allegation that I have heard made.

It is my understanding that there were members of the government party who were also in the caucus lockup who received the same information and briefing as members of the opposition but who were in fact allowed to leave that lockup under escort to return to the House to be here in time for the Minister of Finance's economic statement, which is the normal procedure on budget days and the procedure that we in the New Democratic Party and, in my understanding, the members of the caucus of the Liberal Party, who also participated in their caucus lockup, were led to believe would be the case.

At 3:45 we requested our escort. We were told we would not be allowed to leave the lockup. We continued to request for that procedure to be observed as in past practice so that we could be here as members of this Legislature when the Minister of Finance was delivering that economic statement so that our privileges would be



respected. We were refused the right to leave that lockup, as were the members of the Liberal caucus, as was the leader of the Liberal caucus and the leader of my party. As a result of such, many of you may have noticed that we arrived subsequent to the beginning of the reading of the economic statement and missed the first part of that.

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I believe that is an intolerable infringement on the privileges of members of this House, and particularly in the discriminatory fashion, in the way in which that was applied, in that the members of the government back bench and members of the cabinet who were participating in their caucus lockup were allowed to leave and be escorted back in to be present for the reading of the economic statement in its entirety, and the members of the Liberal caucus and the New Democratic caucus were not treated in the same fashion.

Lastly, I just want to add to the points that have been made with respect to the omnibus bill that, as you review the comments of those who have raised and spoken to the point of order today, as you review the precedents from other legislatures and parliaments of this country, as you review the precedents of former governments in Ontario who have introduced omnibus bills, I believe the question and the test you must apply is, has the government stepped over the bounds of what a democracy will tolerate?

I believe, Mr Speaker, that you must, with the assistance of the Clerk and the staff of the Clerk's office, read the entire bill and read all of the compendiums, including the acts that are being amended that were not, and have not yet been, supplied to members of the opposition parties. You must read through it all, Mr Speaker, because I have been through this now three times—I have not yet made my way through all of the compendiums; it will not be possible, I am sure, until some time next week, to have completed that—and each time I am amazed at some other little piece that I find. For example, in schedule M, which is “Amendments to the Municipal Act and various other statutes related to municipalities, conservation authorities and transportation,” I find that at the end of that, under a miscellaneous section, the Public Halls Act is being repealed.

I also find in another section that the word “vendor” is being repealed from the Milk Act, subsections 20(2), (3), (5) and (6) of that. I have no idea what that means, but I certainly know it's not related to statutes related to municipalities, conservation authorities and transportation, let alone the larger bill.

The only reason I draw that example out is to suggest to you that, in order to rule on this point of order, you must in fact read this entire document and all of the compendium documents to understand the variety of initiatives and the import of that variety of initiatives which have been strung together and are somehow being put forward as a response to the economic statement in a budget bill for this government. In fact, I believe as you go through that, you will find it is not.

Lastly, let me just say to you that I believe, in terms of the resolution of this issue, if you agree with the members who have risen on this point of order, the only option available to you would be to rule this bill entirely

out of order and the government must revise its plans in terms of how it brings forward any piece of legislation related to this or proceeds on any of these initiatives.

It is not satisfactory at this point in time to say that we will have parts of this ruled out of order or that we will force a division into sub-bills. This bill, in its entirety, is out of order, and I believe when you review all of the precedents, the comments that have been made and the rulings in other jurisdictions, you will find that. I urge you to rule the entire bill out of order.

**Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader):** I would like to speak to the point of order raised. Unlike some members, I will not be dealing with the merits of the contents of the legislation, because I don't believe that's what the point of order is all about.

First of all, I heard an allegation that some standing orders were breached. I want to reiterate that, in my opinion as the government House leader, absolutely no standing orders were breached.

The opposition members who have spoken on this point of order have, I think, tried to leave the impression that they had no way of knowing that such a bill was going to be introduced. The opposition House leaders will know that they were contacted by my office and, as has been the tradition in the Ontario Legislature following an economic statement or a budget, as some members opposite absolutely insist on calling it, which actually relates some credibility to my argument, we asked for consent to revert to introduction of bills at the conclusion of the statement to introduce this bill. They steadfastly refused.

The NDP House leader said, “We're not going to do anything that would facilitate you passing legislation on this economic statement.” That was their attitude. The opportunity was offered to them, as has been the tradition in this place since its inception. They turned it down. So I want to get that on the public record, because I notice none of them bothered to mention that that offer was made. They've totally ignored it.

**Mrs McLeod:** I can't believe this.

**Hon Mr Eves:** That is the way it has always been done, I say to the leader of the official opposition. She knows that. We've always reverted to introduction of bills to introduce a budgetary or economic bill—

*Interjection.*

**Hon Mr Eves:** No, the same day.

*Interjections.*

**Hon Mr Eves:** I have it right here, Jim, I say to the opposition House leader, the last budget that Floyd introduced.

**Ms Lankin:** Then you are going to lose it.

**Hon Mr Eves:** I'm not going to lose it. I noticed how you 'fessed up about how open and honest you were about it.

Mr Speaker, you will know that this is not the first time that we have had this discussion here in the Legislature regarding omnibus bills, which is what this point of order is all about. Omnibus bills have been around for a long time. There are many precedents and rulings about the acceptability of omnibus bills.

The former NDP government used omnibus format at least five times during its tenure. Three of those bills combined budget measures into single pieces of legislation. Speakers have been asked to rule on the admissibility of omnibus bills many times. Speakers in many parliaments have invariably ruled that they lack the authority to stipulate what can or cannot be included in a government bill. Speakers' rulings on the procedural propriety of omnibus bills time and time again ruled that they are in order. Bill 26 is not precedent-setting.

Bill 175, introduced in 1994 by the NDP government, amended 139 statutes involving 14 different ministries. By comparison, Bill 26 amends 47 statutes involving 10 ministries. With regard to Bill 175, Deputy Speaker Gilles Morin ruled, and I quote: "Previous members, both in this House and other parliaments, have often expressed their concern about omnibus bills. I do share these concerns. However, it is not the responsibility of a Speaker to take upon himself or themselves to split proposed legislation. Furthermore, in the past, when omnibus legislation has been split, it has always been as a result of an agreement between the House leaders."

Another Speaker's ruling, Acting Speaker Villeneuve, on another NDP omnibus bill, Bill 143, stated that the Chair did not have the authority "to dictate to any cabinet member what should be in an omnibus bill."

In the Canadian House of Commons there have been many rulings by many different Speakers who have all ruled that omnibus bills are in order. In one of these rulings, Speaker Sauvé stated: "It may be that the House should accept rules or guidelines as to the form and content of omnibus bills. But in that case, the House, and not the Speaker, must make those rules."

The only procedural criterion to which omnibus legislation should conform is set out in Beauchesne, which was quoted today, and I will reiterate it: "Although there is no specific set of rules or guidelines governing the content of a bill, there should be a theme of relevancy amongst the contents of a bill. They must be relevant to and subject to the umbrella which is raised by the terminology of the long title of the bill."

The long title of this bill is An Act to achieve Fiscal Savings and to promote Economic Prosperity through Public Sector Restructuring, Streamlining and Efficiency and to implement other aspects of the Government's Economic Agenda. As long as the pieces in this bill relate in some way, shape or form to that long title that I have just read, Beauchesne has ruled that it has to be in order.

Bill 26, the short title, Savings and Restructuring Act, does indeed have a theme of relevancy among its components. Quite simply, it provides the tools the public sector needs to achieve fiscal savings and restructuring. Our economic statement and this supporting legislation will help us build a new relationship with our transfer partners and it will help us to redesign the public sector to improve productivity while delivering important services more efficiently and at less cost.

Nevertheless, Speakers' rulings, precedents and the tradition all support the practice of using one bill to demand one decision on a number of different, although related, subjects. Speakers have been quite clear that they

cannot dictate what is in a bill, nor can they intervene to divide a bill.

1510

I want to talk to you now, Mr Speaker, about some of the omnibus bills in the 35th Parliament, which the members of the third party may be familiar with. They introduced the following omnibus bills when they were in government:

Bill 29, the Budget Statute Law Amendment Act, 1993, amended 14 acts to effect the government's restraint program and eliminated the commercial concentration tax.

Bill 81, the Expenditure Reduction and Non-Revenue Statute Law Amendment Act, 1993, amended seven statutes in order to implement revenue-raising and expenditure-reducing measures announced in the 1993 budget.

Bill 160, the Budget Measures Act, 1994, amended 16 acts to implement measures contained in the 1993 and 1994 budgets.

Bill 175, the Statute Law Amendment Act, amended over 100 statutes affecting matters falling within the jurisdiction of 14 different ministries.

**Mr Bruce Crozier (Essex South):** You said this wasn't a budget. There is a difference.

**Hon Mr Eves:** And you say it is. You can't have it both ways over there.

*Interjections.*

**The Speaker:** The member for Essex South, you're out of order.

**Hon Mr Eves:** As the honourable members opposite seem to be concerned about this, I would like to briefly run through how the individual contents of Bill 26 indeed do have relevancy and a common theme and relate to the long title of the bill.

Section A, public salary disclosure. Mentioned in the financial statement. Accountability is a key element of public sector restructuring.

Corporations tax changes and income tax changes. Mentioned in the statement. Cleaning up issues is an aspect of our agenda, those left over from the 1993 and 1994 budgets of the previous government that didn't even have the legislative decency to pass a law but did bother to collect the revenue for two and a half years, in some cases. Talk about parliamentary democracy and decency.

Section D, the Ontario Loan Act. Not explicitly mentioned in the statement. Made clear we have a deficit. As long as there's a deficit, there will be need to borrow. It is a routine piece of financial legislation. It is an aspect of the economic agenda.

Section E, toll highway legislation. Making sure Highway 407 pays for itself is indeed an aspect of public sector restructuring. The previous government obviously thought so, or they wouldn't have done it. Changing the way we do business. Completing the 407 will promote economic prosperity.

Section F, health services restructuring. Explicitly mentioned in the statement. These provisions are all about public sector restructuring, streamlining and efficiency.



Section G, Ontario drug benefit plan. Mentioned in the statement. These changes will achieve fiscal savings. Again directly related to the statement.

Section H, health insurance and related changes. Physician supply and control. Mentioned in the statement. Part of public sector restructuring. Streamlining and efficiency will also achieve fiscal savings.

Section I, physician services delivery management. Will allow us to get out of OMA agreements implicit. Mentioned in the fiscal statement. Stop paying doctors' malpractice insurance premiums. Gives the government the flexibility to restructure, streamline and achieve efficiencies. Will also achieve fiscal savings.

Section J, pay equity. One of the tools some transfer partners asked us for, one of the ways we are helping transfer partners do better with less. It's an aspect of public sector streamlining and efficiency.

Section K, freedom of information. One of the tools some of the transfer partners asked for. By reducing costs, will help us achieve fiscal savings. By streamlining and simplifying the process, supports streamlining and efficiency in the public sector.

Section L, pension amendments. Gives the government the flexibility it needs to implement public sector restructuring. Can also be said to be a streamlining and efficiency measure.

Section M, municipal redesign. Specifically mentioned in the statement. Helps the government achieve fiscal savings. Provides for public sector restructuring, streamlining and efficiency.

Section N relates to MNR statutes. Implicitly mentioned in the statement. When you take a long hard look at what the government should or should not be doing, getting in our out of certain businesses, it will certainly help us achieve fiscal savings and involve streamlining and efficiency.

The Mining Act will achieve fiscal savings. Helps promote economic prosperity throughout, streamlining the operation of the Ontario Mining Act.

Section P, Correction Services Act. Mentioned in the statement since this change was not part of the July reduction. It achieves fiscal savings. Reducing the parole board quorum also is an exercise in restructuring, streamlining and efficiency.

Section Q, interest arbitration. Helps us achieve fiscal savings, one of the tools requested by the transfer partners. Part of restructuring, streamlining and efficiency, an aspect of the economic agenda.

Mr Speaker, I understand where the opposition parties are coming from. I understand that they don't like the legislation, but when you look at what the previous government has done—

**Ms Lankin:** We want fair debate, public scrutiny.

**Hon Mr Eves:** I'm glad the honourable member for Beaches-Woodbine mentioned public scrutiny, because I'm going to tell how much public scrutiny they gave two of their big omnibus bills.

Bill 160, the Budget Measures Act: They let it be debated in the House for all of two days, they sent it to

committee for all of 45 minutes, and they gave it all of 35 minutes' debate on third reading. That was their version of democracy on a gigantic omnibus bill, but they're complaining about it today.

Bill 175, another omnibus bill: The previous government gave it three days of second reading debate, let it go to committee of the whole for all of 20 minutes—that was big of them—and gave it one hour and 45 minutes' debate on third reading.

And they're complaining about the amount of time this proposed omnibus bill is going to get in this place? Give me a break.

To quote Mr Laughren with respect to Bill 29: "This bill amends 14 acts to effect the expenditure-reduction and revenue-raising measures referred to in the budget. In addition, the bill eliminates the commercial concentration tax this year and implements expenditure-reduction measures announced last April as part of this government's deficit reduction strategy."

They did the same thing with respect to Bill 160 and with respect to Bill 175.

I at least give the honourable member for Oriole marks for consistency because when she was speaking against the omnibus bill, Bill 160, she said: "This will set a precedent which I predict will be used by future governments. The precedent has been set and established to deal with budgetary matters flowing from the provincial budget in one piece of omnibus legislation."

**Mrs Marion Boyd (London Centre):** And what did you say?

**Hon Mr Eves:** You know very well what I said, and you know very well what Mr Charlton said and what Mr Cooke said before him and what Mr Laughren said, and the Liberal members know exactly what they said when they introduced omnibus legislation before that government.

I understand their frustration, but the point is that there is nothing out of order and Bill 26 is entirely in order.

**Mrs McLeod:** A point of privilege, Mr Speaker.

**The Speaker:** A new point of privilege?

**Mrs McLeod:** Yes it is a new point of privilege. I believe the Minister of Finance has attempted to present a technical defence of the indefensible. But Mr Speaker, I would ask you to return to the original point of privilege which was raised in this House.

I think many speakers this afternoon have made it clear that you face an exercise of judgement, quite clearly an exercise of judgement on the issues both of order and of the original point of privilege which I raised. I suggest to you that it is not a matter just of process; it is a matter of the way in which process and substance have worked together in the introduction of this bill to violate the privileges of the members of this House.

The point of privilege, Mr Speaker, is anything which makes it impossible for us as elected, responsible members to carry out our responsibilities, and I submit to you again that this bill, in its substance as well as in the way in which it was introduced, makes it impossible for us to carry out our duties.

Further, I think the Minister of Finance has just made it abundantly clear that there was considerable time and considerable effort over a long period that went into the development of what are clearly not just housekeeping amendments but extensive changes to an extensive number of acts providing sweeping new powers and changing the very way in which government is exercised in this province.

Mr Speaker, I submit to you that if the government had the time and the effort to carry out in secret and without consultation this kind of an exercise, it must provide to the members of the Legislative Assembly sufficient opportunity to debate it. I do not believe that the Minister of Finance can possibly suggest that responsible members of this House would ever agree to the introduction, the debate and the vote on something which clearly cannot be fully considered in this place.

**The Speaker:** I've listened fully to all of the remarks that have been made and I will reserve any judgement and report back to you next week.

1520

#### STATEMENTS BY THE MINISTRY AND RESPONSES

##### ONTARIO DRUG BENEFIT PROGRAM

**Hon Jim Wilson (Minister of Health):** Earlier today, I announced changes to the Ontario drug benefit and Trillium drug programs that will bring fairness to these programs. I'm pleased to share details of these changes with members of the Legislature.

Too many people have found the current deductible under the Trillium drug program beyond reach. By lowering the deductible, we are now making the program accessible to 140,000 more low-income earners in this province. That's 140,000 more Ontarians who will now receive assistance with their unmanageable drug costs.

Ontario is the last province to introduce cost-sharing for its drug programs. For example, in British Columbia, there is a \$200 deductible for seniors, and then they pay the whole dispensing fee up to another \$200 per year. In Saskatchewan, social assistance recipients pay about \$2 for each of their prescriptions.

Ontario is now asking ODB recipients to pay a small portion of their drug costs. We must act now to keep the Ontario drug benefit program affordable and sustainable for the neediest and most vulnerable in our society. These changes will also allow the government to add new drugs that come on to the market, something that's long overdue in this province.

As we have promised, we are making these changes while protecting low-income seniors and social assistance recipients. Seniors earning less than \$16,000 per year, senior couples earning less than \$24,000 per year and social assistance recipients will pay only a \$2 copayment for each prescription filled. Residents of our nursing homes and homes for the aged, as well as home care recipients, will also pay only the \$2 copayment per prescription. This means that 80% of all social assistance recipients will pay less than a total of \$20 per year, and 60% of all low-income seniors will pay less than a total of \$40 per year.

The program will also be fair for seniors earning more than these amounts. We are now asking higher-income seniors to pay the first \$100 of their prescriptions each year, and then up to the maximum \$6.11 ODB dispensing fee for each prescription thereafter.

Ontario drug benefit program spending has tripled over the last 10 years and now costs us over \$1.2 billion each year. But these changes will save an estimated \$225 million and will now cover 2.5 million people, or 21% of all Ontarians.

Under new rules, by comparing prices, consumers can find the best price when it comes to the prescription costs and dispensing fees.

Unlike the previous two governments, who had it all figured out, who'd done all the studies and all the testing of these programs, we have the courage to move forward, to follow through with real drug program reform to keep our program affordable and sustainable for the people of Ontario.

**Mrs Elinor Caplan (Oriole):** It's in great sadness and enormous anger that I rise today in the House to respond to the minister's statement, where he has admitted to breaking his most important and first commitment to the people of this province, the promise that they would not introduce new user fees. The Premier himself admitted that a copayment is a user fee. You promised in the election that there would be no new user fees, and your proposals today are user fees by any other name.

There are 400,000 children on welfare in the province of Ontario. As a mother of four children, I know they get ear infections and strep throats, and each one of those children, whose parents have just had their welfare payments cut by almost 22%, are now going to have to pay \$2 for every prescription when their children get sick.

There are seniors and disabled persons in this province that you promised would not be hurt by your cuts. That was a very clear statement in your election document: You would not hurt seniors and disabled persons. There are tens of thousands of seniors and disabled persons who will have to now pay \$2 per prescription, and there are others who will pay your deductible and your dispensing fee on top of that, and that is clearly a broken promise to seniors and disabled persons.

Minister, I would point out to you that in this statement it is not only what you say, it is what you don't say.

You don't say that you repeal your requirement as a minister to negotiate with pharmacists. That's gone.

You say that you'll be able to add new drugs. What you don't say is that you will unilaterally be able to deny adding any drug and that any due process for pharmaceutical manufacturers is gone.

You don't say that your new legislation gives you arbitrary new powers to cut funding, when only you decide that there is a public interest.

You don't say that you will have the unilateral power to close hospitals in this province.

You don't say that you will have the unilateral power to appoint supervisors who will take over the boards of



any hospital that deems to stand up and shout, for no other reason than that you will decide it is not in the public interest. You can walk in and wipe out that board.

The powers you have in this omnibus bill will allow you day-to-day interference with the running of those hospitals. I predict that if this legislation passes, it is nothing short of expropriation of Ontario hospitals. It is not only government control, it is potentially government-run, and any individual who now serves as a voluntary board member will fear your powers, because they are wrong.

Minister, I sat in your chair. Yes, I did. As Minister of Health for the province of Ontario, I said: "I don't want those powers. I know what the options are. I don't want those powers because I don't believe that any Minister of Health should have those powers, today or in the future."

I can tell you that your powers to conscript doctors in this province, to determine where they will practise, how they will practise and how they will be paid goes far beyond your statement today simply on drugs.

This minister has an obligation. Not only was I locked up yesterday and not given the opportunity to object to first reading of this bill—and I would argue that all the components simply of health legislation would make this omnibus bill contrary to the statutes and out of order—but today, when I nicely asked the minister if I could attend the briefing he has offered to interest groups, I was told no, I could not attend and neither could my staff, that I was not invited. Yesterday I was locked up; today I was locked out.

I am not even speaking to the powers under the Independent Health Facilities Act, which according to my reading, and I stand to be corrected, could declare any doctor's office in this province an independent health facility under the act and give the minister or his designate the power to enter those offices and to disclose private information, because he talks about disclosure. He repeals any liability powers the government would have for anyone to challenge in the courts any edict he would make.

1530

I would say not only are these powers dictatorial, but after a \$1.5-billion cut Mike Harris lied to the people of this province during the election, Jim Wilson lied to the people of this—

*Mrs Caplan left the chamber.*

**The Speaker (Hon Allan K. McLean):** Further responses? Third party, the leader of the third party.

**Mr Bob Rae (York South):** I thought I might read to the House some of the statements made by the Conservative Party prior to the election.

"If I don't live up to anything that I have promised to do and committed to do, I will resign," Harris said." *Toronto Star*, May 31, 1995.

"Over a three-year period beginning immediately after the election, total spending, except for health care, will be cut by 20%." *Common Sense Revolution*, page 7.

"We will not cut health care spending." *Common Sense Revolution*, page 7.

"We should be talking about ways to create jobs—not how much to cut health care." PC news release, March 7, 1995, with a heading, "Mr Chrétien: Don't Shrink Health Care—Grow the Economy."

"Quality, accessible health care is at the top of my list of essentials." PC news release, March 7, 1995, same heading.

"One of the most important things we can do is safeguard our health care system, a treasured Canadian institution." PC news release, May 3, 1995.

"Mike Harris government views full protection of current health care spending as a crucial investment in our future." PC news release, May 3, 1995.

"Our detailed program ensures that we can cut taxes and government spending while protecting Ontarians' priority areas of health care, classroom education and community safety," Harris said." PC news release, May 3, 1995.

"Key to Harris health care management reform plan are the following commitments: 'No cuts to health care spending. No new user fees.'" PC news release, May 3, 1995.

"The demands on the health care system will only increase as the result of demographic changes, primarily the aging population and population growth. For this reason, a Mike Harris government views 'full protection of current health care spending as a crucial investment in our future.'" PC news release, May 3, 1995.

"Mike Harris and his caucus publicly rejected new user fees as an effective way to ensure adequate funding for our health care system." PC news release, May 3, 1995.

"Aid to seniors and the disabled will not be cut." CSR, page 10.

With the changes introduced yesterday—it is very clear that one's choice of parliamentary language is obviously dictated by precedent—but I can only conclude that this government has broken every single pledge it made on health care before, prior and during the last provincial election, every one.

It promised no new user fees; it is introducing new user fees. It promised it would not cut aid to seniors and the disabled. Think about this: Disabled people who are on social assistance are the people who use the drug plan the most. They are the most dependent, they are the most reliant on the drug plan and they are the people who are part of the 50% of disabled people who will be paying far more than \$40 a year for their drugs. This is a cost which has been imposed on them that no government in this province since the 1970s has thought it wise, advisable or fair to do.

*Interjections.*

The minister opposite says, "You never did it." You're darned right. We looked at it; of course we looked at it—I'm sure the Liberal Party looked at it as well—and having looked at it, we concluded that there was no way to impose a user fee on seniors or on the disabled in a way that would not end up being unfair and would not end up being purely and simply a tax on the sick.

This is a government which now says it is the policy of Tory Ontario to tax sick people, to tax sickness, to tax the disabled, to tax seniors and to tax them—

**Hon Mr Wilson:** You delisted 380 drugs; 380 you took off.

**Mr Rae:** —and at the same time the minister who is shouting from his place has accruing to himself more arbitrary powers than any Minister of Health, has dared to come forward—and he doesn't even have the guts to present the bill in his own name. He doesn't even have the guts to present the bill as if it's a health bill. He has to hide behind the cover of the breaches of faith and the breaches of commitment that are contained in the Common Sense Revolution.

We heard the Premier on many occasions go on talk shows and elsewhere saying: "I'm a different kind of guy. I'm Mike. I'm big and gruff." The Premier has not kept his promise. The Premier, if he had an inch of political integrity in him today, would say, "I did not keep my promise and therefore I'm going to resign." That's exactly what the Premier should do.

#### ORAL QUESTIONS HEALTH CARE FUNDING

**Mrs Lyn McLeod (Leader of the Opposition):** It's difficult to know how to begin this question period, because we all remember the absolute commitment which the now Premier made to the people of this province.

It was a commitment that he said was his first and most important commitment: that a Conservative government would protect health care. It was a commitment that he made and that he put in writing: that a Conservative government would not introduce any new user fees. Today his Minister of Health has the sheer arrogance to come into this House and make an announcement which not only confirms the broken promise, but rubs salt in the wounds of the welfare recipients and the seniors who will now be taxed because they are sick.

It was a commitment that the now Premier made over and over again that he would protect health care: Not a penny would be cut from health care. He could protect the services that people need and not a penny would be cut from health care. It was this Premier's first and most important commitment to the people of this province by his own words.

Premier, I ask you, how could you break your first and most important commitment? How could you break your promise to the people of this province? How could you break your promise on health care?

**Hon Michael D. Harris (Premier):** I appreciate the question and I appreciate the opportunity to talk about the health care envelope. What I think was one of the most significant commitments we made was to maintain health care funding at \$17.4 billion. I might add that I believe in the red book there were four references that the Liberals would maintain it at \$17 billion, but we felt \$17.4 billion was the figure when we made the commitment, and we'd stick to the \$400 million more than the Liberals would commit to.

We went into the campaign with this commitment. In fact, when we did our health care announcement in the

campaign, it was, I think, at University Hospital in London, Ontario, where we said we must find savings in the health care systems. We said we are going to find savings. We made that commitment. Then, the same day, we said we will reinvest those savings back into health care.

There will be savings over the next three years as a result of the announcement that was made today. As those savings are made, our commitment is that we will reinvest them back into those priority areas of health care.

*Interjection.*

**The Speaker (Hon Allan K. McLean):** The member for Lawrence is not in his own seat.

**Hon Mr Harris:** This, I believe, is consistent with statements made by the government. I have all their quotes about taking money out of institutions and finding smarter ways of spending it. I have all the quotes from the former Minister of Health, who was thrown out of the House today in disgrace, who said the same thing.

I would say to the Legislature that we will honour our commitment. The only difference between our approach and the approach of the other two parties is we want to find the savings first so that we don't end up with \$10-billion deficits before we reinvest our money.

**1540**

**Mrs McLeod:** Not today, not after this government. It won't work today. It won't work the day after a government that said it wouldn't cut a penny of health care takes \$1.3 billion away from the hospitals of this province. It won't work after a government that said "No new user fees" brings in a user fee for health care for seniors and for welfare recipients.

We have heard all the weasel words before, smooth words that simply serve to try and hide the reality of what happened. This government said, "Not a penny out of health care." Yesterday, Premier, you took \$1.5 billion out of the health care budget. It was a cut. It can't be described as anything else.

Your Minister of Finance said he was cutting \$6 billion to help to solve the deficit problem that was keeping him awake at night; \$1.5 billion of that \$6 billion in cuts was a cut to health care, and his ministry officials confirmed that this \$1.5 billion was going to show a reduced deficit. It was a cut, and the biggest single cut that you announced yesterday, Premier, was a cut to the health care budget.

How did "Not a single penny from health care" become \$1.5 billion?

**Hon Mr Harris:** To the honourable member, as you know, we have already made significant reinvestment announcements in the health care field, almost weekly there by the minister, into paramedics, immunization, a number of other areas. The minister can go through the litany of new costs that will be there.

In the statement yesterday was an indication that as part of the restructuring to really do our best to stay within the \$17.4-billion envelope—we're still concerned that we may be in excess of that—but to be able to stay in there, we ought to listen to the health care profes-



sionals, we ought to listen to those that are there. We ought to respect many of the things that you have said in your party and the other party, that there are smarter ways to spend; that the problem in health care wasn't the dollars, it was how they were being spent.

We're confident, and the hospitals themselves have told us that over the three-year period they believe they can restructure themselves to live within these commitments. There will be reinvestments that will have to be made. There will be restructuring costs, I'm sure, that you will hear the minister have to announce over the three-year period. There will be other areas of health-funding pressures, I'm sure, to seniors, to new technology, to heart surgery, as you know. The minister is talking about this as well.

In order to fund up to \$1.5 billion in new areas of priorities over the next three-year period, starting with the budget, it was actually three and a half years, what we are going to have to do is find that amount of savings. That's what we are doing, with the help of our partners.

**Mrs McLeod:** Yesterday the Minister of Finance made a statement to the people of this province in which he said he had reduced his budget, he had made spending cuts of some \$6 billion. But \$1.5 billion of those spending cuts were cuts to health care.

The issue that is on the table today, Premier, is your words and your commitment, which seemed so very clear just a few short months ago. It was so clear during the election campaign. The seduction was not even very subtle, because you told the people of this province that they could have it all: that they could have a balanced budget; that they could have the cut to income tax; and that they could have their health care protected, not a penny of health care would be touched. Over and over and over again, "Not a penny of health care will be touched."

Yesterday you took \$1.5 billion out of the health care budget as your spending cut to help pay for your income tax cut for the well-to-do. Premier, it became apparent yesterday that you had lied to the people of Ontario. Why did you lie to the people of this province?

**The Speaker:** Order. You cannot accuse another member in this Legislature of lying. Would the honourable member withdraw them, please.

**Mrs McLeod:** Mr Speaker, I acknowledge your concern. I've been a member of this Legislature for eight and a half years. I care about what we do here, but I will withdraw voluntarily from the Legislature rather than condone the hypocrisy being perpetrated by this government.

*Mrs McLeod left the chamber.*

**Mr Mike Colle (Oakwood):** Why did you lie to the people of Ontario, Premier? Why did you lie?

**The Speaker:** Order.

**Mr Colle:** Why did you lie to the seniors? Why did you lie? No new user fees, you said. You lied to them. Why did you lie to them?

**Hon Al Palladini (Minister of Transportation):** Be a man.

**Mr Colle:** He lied to the people of Ontario. You be a man and stand down. You talk about being a man?

**Hon Mr Palladini:** Well, you are not.

**Mr Colle:** Don't you preach to me about being a man, Mr Palladini.

**The Speaker:** Order. I have no alternative but to name the member for Oakwood. Would the Sergeant at Arms please take the member out.

*Mr Colle was escorted from the chamber.*

**Mr Sean G. Conway (Renfrew North):** The second question is to the leader of the government. Oh, these are the people. These are the kneecapping, groin-kicking Republican National Committee men of Ontario. Oh, yes. They think they can sashay through the Victoria by-election and pull the stunts they saw and did in the last general election, and then they think we should come into this chamber today and on their behalf play by the rules of mid-19th century Victorian gentlemen. I'm sorry, ladies and gentleman of the Newt Gingrich Ontario club, you can't have it both ways. Don't be surprised at the level of anger and upset when today those of us who were in the election campaign hold you to account for what you said and what you promised.

Premier, my outrage today on health care concerns this budget bill, Bill 26. How dare you, after cutting \$1.5 billion out of the health budget—and make no mistake about it. Your officials were in that budget lockup yesterday telling anyone who asked that those were \$1.5 billions that were directly credited to the savings figure that the Minister of Finance was bragging about. How dare you, having broken faith on health and hospital care, having cut \$1.5 billion, that you said would never happen—

**The Speaker:** Put your question.

**Mr Conway:** How could you possibly walk in here today and defend this draconian budget bill, which, among other things, seeks to give the Minister of Health the unilateral power to close down any public hospital in this province that he cares to?

**Hon Mr Harris:** I appreciate the opportunity to be able to respond to the campaign, the Common Sense Revolution, to the commitments we made to the people of Ontario and to the—

**Mr Dominic Agostino (Hamilton East):** Not one cent will be cut from health care, Mike, remember that?

**The Speaker:** The member for Hamilton East.

**Hon Mr Harris:** —\$17.4 billion envelope. I'm proud and pleased because it's \$400 million more than the Liberals were prepared to commit to, and we are seeing through the response and the questioning that the Liberals in the campaign had no commitment to balancing the budget at all. They've not supported one cent of expenditure reduction there, and so they've joined the—we knew the NDP wouldn't. They were prepared to tax and spend and deficit. But now we've found the Liberal Party just the same.

Let me quote, and obviously some people have seen the statement yesterday in different ways, but let me quote, if I might, Tom Closson, president of the Sunny-

brook Health Science Centre, and what he read into the statement yesterday:

"I think it's a really good plan for the hospital sector. One, the plan commits to the \$17.4 billion at the end of the term for health care and that's good."

Not only is that commitment to \$17.4 billion—

**Ms Frances Lankin (Beaches-Woodbine):** Why don't you defend your statement? You said not a penny would be cut. You've cut \$1.5 billion.

**The Speaker:** The member for Beaches-Woodbine, come to order.

**Hon Mr Harris:** It is recognized by many people that are out there as a commitment and that it was honoured in the statement that was made yesterday, and indeed it will be.

**Mr Conway:** I'm not surprised Mr Closson and the Sunnybrook are happy and that you would cite them, because anyone who knows anything knows that Sunnybrook, with your blessing, will be taking over Women's College Hospital. Let there be no confusion about that.

But I want to come back, Premier, because for me the real issue here is honour. I know something about electoral campaigns, I know something about the give and take, but I'll tell you—and I have known Mike Harris for 15 years. I've watched him, I've listened to him, never more carefully than in the recent electoral campaign, where he would say anything, he would sign anything. Oh, he was a man for all seasons. You made a solemn, sacred promise on health care which has been widely quoted, but let me repeat: "Not a penny will be taken from the health budget, because we consider that a priority. Trust me. I won't touch it."

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Now, having cut \$1.5 billion out of the health and particularly the hospital budget, how can you possibly justify the kinds of dictatorial measures that are contained in this obnoxious budget bill that you want passed within 15 to 18 days from this moment? Isn't it unconscionable that having broken your promise on health and hospital care, you now have the unadulterated gall to walk in here and say, "Give my Minister of Health and my government the unilateral power to shut down and take over any public hospital in Ontario"?

**Hon Mr Harris:** The question is based upon a premise that somehow or other we're going to go back to the people in the year 1999, 2000, 2001, whenever the next election will be—maybe 1998—without having reinvested the savings that we need to find in health care. With the statement that was made yesterday, not a penny was cut from health care today, but there was an indication that beginning next year—in some cases not till June, in other cases later on next year—we would be seeking to find \$1.5 billion through restructuring savings, through spending smarter, in the health care system so that we could accommodate the announcements that will be made over a period of time and over the next three-year period, as we're there, for reinvestment—

**Ms Lankin:** Then your deficit number is not true. You applied those numbers against your deficit. Which is it?

**The Speaker:** The member for Beaches-Woodbine is out of order.

**Hon Mr Harris:** A false premise, I would say. We have no plans not to honour our commitment to the penny on the health care envelope, and since the questioner didn't like Mr Closson's quote, let me then go to Humber Memorial Hospital, which some outsiders, independent analysts appointed by the former government, suggested shouldn't have the same fate as Sunnybrook. Mark Rochon, president and chief executive officer, says, "I think it's important people recognize these actions are required if we're to preserve medicare for future generations." We're interested in preserving medicare for future generations.

**Mr Conway:** That, Mr Premier, is a canard. That and your several other utterances today are nitwitty, incessant nitwitty. You said publicly a few months ago that you had trouble with numbers. Well, it's quite clear you have trouble with numbers. I think you have some kind of selective amnesia, because you don't seem to remember what you said, and you said it clearly and you said it repeatedly. You promised, and you've advertised yourself as a new kind of politician. Well, yesterday with the budgetary statement, we saw the true colour of the real Mike Harris. You broke faith fundamentally and blatantly on your most important commitment.

Mr Premier, what we now see and what we now know is that over the several months leading up to and during the Ontario election campaign, with ease and with frequency, with aplomb and with amorality, you lied. You lied through your teeth. Where I come from I am afraid, notwithstanding your 19th-century Victorian conventions—

**The Speaker:** Order. Order.

**Mr Conway:** —you call a spade a spade and you have to call a liar a liar. I regretfully have to, Mr Premier, call a liar a liar, because that's what you are on health and hospital care.

*Mr Conway left the chamber.*

**The Speaker:** When he comes back tomorrow, he will have to withdraw.

Leader of the third party.

**Mr Bob Rae (York South):** I'm sending, and I hope the Premier will bear with me—

**Mr Mario Sergio (Yorkview):** Point of personal privilege, Mr Speaker.

**The Speaker:** Order. The member has a point of personal privilege.

**Mr Sergio:** Mr Speaker, you have uttered some brand-new rules which I have missed. Can you please repeat them to this House?

**The Speaker:** Order. Leader of the third party, question.

*Interjections.*

**The Speaker:** A member is not allowed to call another member a liar in this Legislature. If the member gets up and walks out on his own without being named, then he will have the opportunity to withdraw the next time he comes back in the chamber. That's what I uttered.



**Mr Bruce Crozier (Essex South):** You uttered the word "apology"; you said "apology."

**Mr Agostino:** You said he should apologize.

**The Speaker:** Order.

**Mr Agostino:** Point of personal privilege, Mr Speaker.

**The Speaker:** I have ruled on the point of order; the point of order is over.

**Mr Agostino:** Mr Speaker, I rise on another point of personal privilege: What you said was, he has to apologize.

**Mr Sergio:** You have one rule for this side of the House and another for that side of the House.

**The Speaker:** Order.

**Mr Agostino:** That's what you said, Mr Speaker.

**The Speaker:** We will review what the record said. Order.

**Mr Crozier:** You know you said it; it will be in your mind.

**The Speaker:** Order. Would the member take his seat, please.

**Mr Agostino:** Can you rule on the point?

**The Speaker:** Would the member take his seat.

**Mr Agostino:** Will you rule on the point?

**The Speaker:** Will the member take his seat, please. The leader of the third party has a question.

**Mr Rae:** I have sent over to the Premier a copy of a leaflet that was widely distributed in my constituency on behalf of the Conservative Party. It was the simplest expression of the Common Sense Revolution. The second statement in that document is quite simply: "This is what Mike Harris will do for Ontario: (2) Cut non-priority government spending by 20%. Health care, education and policing will not be included in spending cuts."

Premier, the question I have for you is this: There are today watching, I'm sure, and there are also in the gallery today, senior citizens who took your pledge seriously. It was a twofold pledge: first, expressed in different ways, that health care spending would not be cut, and second, that you would not introduce user fees for health services—which many people, in a commonsense fashion, interpreted as meaning that you would not introduce user fees for drugs. Particularly, they felt that way because another clear sentence in the Common Sense Revolution is, "Aid to seniors and the disabled will not be cut."

I want to ask the Premier, would he at least allow that there were and are a lot of people who thought that what the Premier clearly meant by those remarks and what the Conservative Party meant by those remarks was that we would not have the kind of cuts to hospital expenditure, the kind of cuts to drug benefits in terms of the additional \$225 million being extracted from seniors and from disabled people? Would you not agree with me that they might be entitled to expect at least an apology or an explanation from the government for why what it is doing is so different from what they are now about to experience?

**Hon Mr Harris:** I believe that the member raises a serious question and it gets to the credibility of governments and of campaigns. While I would be the first to say I'm not sure we need to take any lessons from the two parties raising these questions, let me respond to the question as it pertains to our campaign.

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I would acknowledge that if some listened to the member questioning—his interpretation—they might get that view. But what I would ask people to do is to reflect on the election campaign, to the health care announcement and the release that went out referencing the Common Sense Revolution.

We said, "The key to the Harris health care management plan"—this is the release on health care that referenced it. We said, "No cuts to health care spending," to the overall health care spending.

*Interjections.*

**Hon Mr Harris:** Just a minute. "Reinvest savings from eliminating waste and fraud."

Where do these reinvestments come from? We've got to cut out waste and fraud. "Local cost recovery incentives, identifying provincial priorities for reinvestment of provincial savings." These were the parts we talked about.

In the same press release we cited a recent Queen's University—University of Ottawa study which found that health care expenditures could be reduced by 9% through new efficiencies. We haven't identified—

**Mr David S. Cooke (Windsor-Riverside):** That is not what you said in the election.

**Hon Mr Harris:** This is what we said during the election, excuse me. This is the election press release. We haven't identified the 9% yet, as others have said, but we did say we must find savings within the system if we're going to be able to reinvest and fund new priorities, and that is exactly what we are planning to do.

**Mr Rae:** When people read the words "Cut non-priority government spending by 20%. Health care, education and policing will not be including in spending cuts," perhaps senior citizens and others could be forgiven for taking the government and the leader of the Conservative Party at their word.

Perhaps I could, by way of supplementary, ask with respect to the drug plan, I wonder if the Premier can tell us why it would be that those seniors and those disabled people who are the poorest and the sickest will now be paying the most every year with the drug prescription cost of two bucks a shot?

I will say to the Premier, he will know perfectly well that whether you call it a copayment or whether you call it a user fee, it amounts to the same thing: a tax on sick people, on sick people who are old and on sick people who are handicapped. What is the logic of taxing those people and giving a tax break to a stockbroker who's making \$250,000 a year? What is the logic of that? Just what is the fairness of that?

**Hon Mr Harris:** When 80% of Ontarians get not a penny from the government for their drug plan, under the

Rae government, the rhetoric that was used by the then Premier wasn't that this was a tax. When the then Premier brought in the Trillium drug program to give some relief, which we all supported, to some of those lower-income Ontarians, but still with significant copayments and deductibles, the then Premier and now leader of the third party didn't call it a tax or a health tax at that particular point in time.

We are dealing with drugs that are not covered by the Canada Health Act, that are not covered by medicare, that are not covered by OHIP, that in all other nine provinces there are significant copayments, many far in excess of what is being proposed by the minister today, and quite frankly, along with that announcement, a significant reduction in the amount that has to be paid today and under your Trillium plan by over, I think, 140,000 low-income Ontarians that we will now be providing some assistance to. This is in a plan outside of the Canada Health Act, outside of OHIP, that we are moving to be far more progressive than you were, and I don't know why you're opposed to that.

**Mr Rae:** Ultimately, it's the patients of the province, it's the people who use the health care system and it's the people who use the drug plan who will judge the Premier for whether or not he's lived up to his promises. The rhetoric and the anger and the sense of genuine frustration which members on this side feel, I think, is something that all of us understand and all of us share, but I would just say to the Premier, this ultimately is something that is going to be judged by people with respect to the credibility of the government on this particular question.

Let me just come back, if I may, for my final supplementary, to the Premier on this point: If we take you at your word that the money that is being extracted from the hospitals is going to be reinvested in health care—and that is your word, that is what you have now told me, that is what you have now committed yourself to do—can you explain why in the accounting and in the statements made by the Minister of Finance yesterday, that money was not set aside in a special fund, which fund would be used for health care, as opposed to what you have done, which is to put it up against the deficit number and put it up against the tax cut? That's what you've done.

How can we conclude anything other than, perhaps in an election year, you'll do everything you can to jack spending up to \$17.4 billion? But that was not your commitment. Your commitment was that the \$17.4 billion would be maintained year after year, not that it would go from \$17.4 billion to \$16.5 billion to \$16 billion and then be jacked up. That's the concern we have with the way in which you're doing this and why the only conclusion we can draw is that you broke your word with respect to the commitment to maintain health care funding. That's the question at stake here.

**Hon Mr Harris:** I understand, given the record of politicians and political parties in Canada and particularly this province about keeping their word over the last number of years, why people are sceptical. I understand that.

Let me say very directly to the member that we believe we are proceeding down a path that you asked us to. For

example, the former Treasurer of the province, the Minister of Finance, Floyd Laughren, said in North Bay, on health care, "We are trying to get out of so many dollars being spent on institutions and more on people, communities and home care." So the former government set up these restructuring committees across the province to see if there could be some savings in the institutional sector. The preliminary indications are that there can be. We've worked very closely with the Minister of Health when we thought they could come out over the next three years.

Yesterday, the Minister of Finance committed to funding for this year, even though there were some reductions in July and then reinvestments in the health care envelope, actually in excess of \$17.4 billion. In next year's budget, it will be up to the Minister of Finance to try to make projections into 1996-97 and into future years.

I want to tell you this: We believe our challenge in health care, with the restructuring costs and the new pressures—

**The Speaker:** Wrap up your answer, please.

**Hon Mr Harris:** —will be to keep spending at or below \$17.4 billion, not the other way around. We're quite confident, while it may not be minute to minute or week to week or month to month or even year to year, that through our plan, which is a long-term plan, not a short-term one, you will find health care spending will be at \$17.4 billion.

**The Speaker:** New question, the leader of the third party.

**Mr Rae:** I have always said, in fact in the speech that I gave in response to the speech from the throne—the Minister of Health, I think, has quoted it on a number of occasions—I have said a number of times that, having set up restructuring committees right across this province and having taken as much heat as I took as Premier for beginning the process of change in the health care system, I am not about to turn around and say now, "Oh, now there shouldn't be any more restructuring." I'm not going to do that. That's not our position; it's not my position.

My position, though, is to hold the government to its word; that is to say, if you say you are going to reinvest the savings year to year, reinvest the savings when they are found, when they are done, not four years later, not four years down the road—because people get sick every day, people have needs every day. We have bottlenecks in the system. We've discovered a new one. A new one's come back with respect to cardiac care. We know that problem. We had it solved for a while and now it's come back again. We know these problems arise again and again.

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I therefore want to go back to the Premier and say, if we're to take you at your word now with respect to what the position is, I wonder if you can explain to us why, in the accounting which was done yesterday by the Minister of Finance, the money that is being saved was not set aside and in fact is being put against the deficit. That's where it's going. It's being put against the deficit and put against the tax cut for years out. It's not going back into health care.



**Hon Mr Harris:** Until we see the spring budget, we don't know a number of areas where the spending will be going or a number of the priority areas.

**Mr Cooke:** You applied it against the deficit.

*Interjections.*

**Hon Mr Harris:** No. Excuse me, but I think if you reflect and read the statement, what the Minister of Finance wanted to do was to assist with the restructuring that the member acknowledges his party began, and we applauded them for doing that.

They needed to get some sense beyond this year, beyond next year, beyond the year after that and beyond the year after that, so the Minister of Finance and the Minister of Health held extensive consultations with those who were involved in the restructuring discussions and with hospitals, and these were the targets that they believed made sense. But they said: "You must announce for us three years out. You don't have to announce where you're going to spend the money three years out, but you must give us an indication three years out so we can plan properly the restructuring over that period of time."

Most of those who are seriously involved in those restructuring discussions said: "Thank you. We appreciate knowing. We know you're serious about continuing the plan of the former government." Quite frankly, the majority agrees. Not everybody always agrees, but the majority agrees. It is only in this way they'll be able to restructure.

Yes, it is your job to hold our feet to the fire on the total envelope over the life of this government, and we're prepared to stand up to that scrutiny.

**Mr Rae:** It's very difficult for us, given the impression we have from commentary being given by the Dominion Bond Rating Service and others. Mr Miron, for example, said two days ago that the size and the severity of the cuts is greater than it would otherwise need to be because of the Tories' promise with respect to taxes, and therefore it is very difficult for seniors, very difficult for people who are sick in this process of restructuring.

The process of restructuring is difficult enough without taking out 20% in three years in terms of the overall hospital budget. That is a lot of money. That is an incredibly ambitious project, I'd say with great respect to the Premier and the Minister of Health. I frankly don't think you're going to be able to do it in the way in which you're planning to do it. I think the costs are too high and I don't think communities will be able to withstand it. I don't think so.

With great respect once again, can you tell us why it is that in the statement yesterday, and even in the statements that have been made up till this time, this is the first time you've indicated that on a year-to-year basis you're prepared to commit that every cent you take out of the hospital budget will be reinvested in the overall Health portfolio? Are you prepared to make that commitment today?

**Hon Mr Harris:** I don't think we ought to be held accountable penny in, penny out on a day-to-day basis. I don't think on the same day—we've freely said that—on the same day, on the same week, on the same month.

What we need to do is do something completely different, if we're to balance our books, from the previous governments. We need to identify the savings, know we're going to get them, before we commit to new spending. This is the only way, you see, we're going to undo the damage of the massive debt and deficits that have been built up.

I have clearly indicated that could include year-to-year. I don't know from one day to the next exactly to the penny what will be spent, but I'm prepared to tell you this: I will go to the people in the next election with health care spending at or in excess of \$17.4 billion.

**Mr Rae:** I would say to the Premier that the test will not be any speech I give or any speech the Premier gives. The test will be the quality of health care that the citizens of the province receive. That will be the test.

I'm saying to the Premier that he's taking too much money out of the system too quickly and that he's doing it because he's got a tax cut on his back that he feels he has to do.

I would say with great respect to the Premier that what he is saying today, "Eventually we'll get it back to \$17.4 billion," which is the new Tory position, that by the time he goes to the people in the election the budget will be back up to \$17.4 billion, is a very different position than the one the Premier and his colleagues took in the last election. It is a totally different conclusion.

I have no choice but to say, with great respect to the Premier, that I feel that in the last election he clearly misled the people of the province.

**The Speaker:** I would ask the leader of the third party to withdraw that word. Would the leader of the third party withdraw that word?

**Mr Rae:** Mr Speaker, I won't withdraw.

**The Speaker:** I have no alternative but to name the leader of the third party.

*Mr Rae was escorted from the chamber.*

**Mr Crozier:** On a point of order, Mr Speaker: How is it that when I suggest something to you, you won't do it, but when the Premier sits there and looks at you and says, "Aren't you going to tell him?" you do it?

**The Speaker:** New question.

**Mr Gerry Phillips (Scarborough-Agincourt):** On the previous question to the Premier on health spending: I think it was crystal clear to everyone during the election that you promised you would not touch a penny of health care spending. In every document, in everything you presented, you said you would not touch a penny—not that you would cut and then bring it back up, but that you wouldn't touch a penny. I think many people in the health sector felt comforted by that. I don't doubt that it was a big part of your getting elected.

But yesterday, Premier, we were told that the cuts you're making to the hospital sector and the cuts you're making to the drug benefit plan aren't being reinvested. We were told they were part of your recorded expenditure reduction for 1996-97. We were told they are not being reinvested in health but are part of your expenditure reduction.

So one of two things has happened: Either you are not being forthright with the people who have looked at your expenditure reductions or you're not being honest with what you promised in the election campaign. I'd like to know which of those two things it is.

**Hon Mr Harris:** Let me congratulate the member on having been able to phrase the question in such a way as to stay in the Legislature, as opposed to some of his predecessors.

**Mr Len Wood (Cochrane North):** People only get thrown out if you say so, Mike.

**Mr Frank Miclash (Kenora):** All the Premier had to do was nod.

**The Speaker:** Order. The member for Kenora is out of order. Member, you're out of order.

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**Hon Mr Harris:** Might I, by way of response to the member's question, point out one thing about the statement yesterday, and then I'm happy to give you the campaign commitment we made, and here is our health care day from the campaign.

What you heard yesterday in the statement was an indication of where we felt some savings could be achieved in the hospital sector in next year's budget, starting 1996-97. Then, when next year's budget comes in, you will get an indication, along with any announcements that are made between now and the budget next year, of reinvestments that will be able to be achieved in the health care sector.

This was our commitment. We said there is waste; there are inefficiencies; we've got to find savings. Let me quote from our health care announcement, May 3, that we made in the budget, and this is how we're finding the money for cardiac care, for paramedics, for immunization for children, for out-of-province coverage for seniors. We said: "With savings like these"—in other words, we identified some possible savings and said we'd look for more—"we'll be able to reinvest back into the system to meet the changing needs and demands of Ontario's health care system. Every penny," we said, "we're looking to reinvest." That's what we plan to do.

**Mr Phillips:** The reason I'm choosing my language carefully is because I want an opportunity to respond to the statement this afternoon. Otherwise, I'd tell you what I really think of you.

I just want to say again that I think every single member of your caucus ran on the basis of, "We will not touch a penny of health care." I will say that yesterday we were told you are cutting \$500 million out of the health budget next year, not that you're reinvesting it; you're cutting it out.

I'd ask the Premier directly, how can you possibly explain to the people of Ontario how this was a truthful document, where you said you would not touch a penny of health care—not a penny of health care four years from now, but a penny of health care year after year? How can you explain the fact that you are now cutting \$500 million a year right away out of the budget and up to a billion and a half over the next three years? How can you explain that to the people of Ontario?

**Hon Mr Harris:** I think the people receiving the new dialysis, I think the new 140,000 people who will be eligible for drug programs, clearly understand where the dollars are coming from. I can tell you one thing they understand. They understand we can't borrow any more from offshore with a \$10-billion deficit.

The people of Ontario clearly, in the health care area, understand that every penny of savings we're able to achieve with greater efficiencies in the health care system is a new penny that can be spent and invested into improved health care in the province. That's our commitment; that's what we are doing this year; that's what we will continue to do throughout the life of this government.

In that way, in the overall plan, we will be able to balance our books, we'll be able to have improved health care, and most importantly of all we'll be able to have the hundreds of thousands of new jobs that will come to this province with an improved investment climate, with the financial affairs in order. We didn't just promise the people quality health care and \$17.4 billion; we promised them a much improved investment climate, many new private sector jobs, and we're going to deliver.

**The Speaker:** New question.

**Ms Lankin:** I'm going to continue in this line of questioning to the Premier. Let me say to the Premier that I know there is restructuring that is required in the health care sector. I believe very strongly in that restructuring. I believe in reallocation of dollars from one part of the health care sector to the other, a shift in focus from institutions to community, a shift from illness treatment to illness prevention.

Having said that, I looked at those numbers yesterday, I participated in that lockup, I asked questions, and I am told by Ministry of Finance officials that your projection for 1996-97 of an \$8.2-billion deficit includes in it expenditure projections for the Ministry of Health that has \$500 million cut from it—not put aside for reinvestment, not earmarked to reinvest in building community health-promotion, illness-prevention activities, which I and my colleagues on this side of the House would support, but to go to the bottom line of deficit and tax, paying for that tax cut. You are going to borrow to pay for tax cuts for the rich, but you won't borrow to pay for reinvestment in the health care sector.

Confirm for us, is it not correct that the \$500 million you are cutting from that health care budget is going to the bottom line of your fiscal plan and that it is not there to be reinvested in 1996 in the health care expenditures?

**Hon Mr Harris:** No, I can't confirm that, because it's not true.

**Ms Lankin:** That's what your people said.

**Hon Mr Harris:** Maybe the officials already have printed and have the budget ready for the Minister of Finance next spring. I don't know that. Maybe some official is anticipating, if he or she were Treasurer or Minister of Finance, what he or she would do in the statement.

What is true is this: We have now identified some targeted savings that we believe can be achieved in the



hospital sector as a result of your restructuring study and the studies that are going on. At the same time, we have not yet identified where new spending will be in health care between now and the next budget and then in the budgetary year of 1996-97.

As I have indicated to you, we are doing things a little differently from the former government. We're identifying and making sure we have savings first before we commit to spending new money. Only in this way are we going to be able to have any kind of province and provincial services and health care and education and welfare services in the future, because the track you had us on was bankrupted and no money.

**Ms Lankin:** I am having a very, very difficult time. First of all, during the campaign I heard the Premier out there saying, "Not one cent will be cut." Yesterday I saw the numbers, and \$500 million has been cut. Today I heard him say: "We won't reinvest that money until we go back to the people in an election. Then we'll get back to \$17.4 billion." And I just now heard him say: "In fact, we'll be reinvesting next year. We'll see what that budget is."

I don't know what's the truth and what's not the truth. I look at this \$8.2 billion. If I am to believe what you are saying on health care and that that money is going to be reinvested the next year, then I can't believe your deficit numbers for next year or the year out or the year out, because your officials confirmed for us that those cuts, that \$1.5-billion cut in health care, has been applied against the fiscal bottom line, against that deficit.

What do we believe? Do we believe what you say today or do we believe what the document says in terms of the deficit?

I can't help but say that this Premier has misled the people of Ontario, not just during the campaign but in the document yesterday, in that economic statement, and here again in the House today. It is not acceptable.

**The Speaker:** I ask the member if she'd withdraw the word "misled." Would the member withdraw. The member's not withdrawing? I have no alternative but to name the member.

*Ms Lankin was escorted from the chamber.*

**The Speaker:** The Minister of Finance has an answer to a previously asked question.

#### PUBLIC SERVICE EMPLOYEES

**Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader):** This is the first opportunity I've had to respond to a question asked by the member for Scarborough-Agincourt on November 22. He wanted to know what the current, up-to-date level of the Ontario public service staff was. I have now been provided with figures by the Chair of Management Board, who advises that as of August 31, 1995, the total head count for the Ontario public service was 92,930 people; the full-time equivalent was 89,026.

1630

#### SPENDING REDUCTIONS

**Ms Annamarie Castrilli (Downsview):** Premier, there are currently 400,000 children on welfare in Ontario. They have just seen their benefits slashed by some 22%.

Many of these children are living at a poverty level in my riding of Downsview. They're being asked by the minister of welfare to live on a \$90-a-month budget for food.

I wonder what you would say to the parent—I'm a parent and so are you—of a sick child who has to choose between feeding that child or buying medicine. I wonder how you would tell that child and that parent that all this is in order to pay for a tax cut for the wealthiest Ontarians.

**Hon Michael D. Harris (Premier):** First, I would tell them that it is not at all to pay for a tax cut for wealthy Ontarians. That's not the government's intention; that's not our plan. We have plans to cut taxes most significantly for lower-income and middle-income and working people in the province of Ontario, clearly decreasing with higher-income people, to create jobs.

What I would suggest you say to the disgraceful figure of the number of people on welfare in Ontario—more per capita than any other province is what we inherited, more than Newfoundland, more than any other province in this country. I mention Newfoundland because that province has lost its economy, lost its fishing industry, lost federal transfers, yet they have fewer people and fewer children on welfare than we do per capita here in Ontario.

I am embarrassed by this, and I hope the government sticks to its promises and its commitment to reduce this cycle of dependency, to give us more hope, to give us more opportunity, to give us more jobs and to give us a chance to dig out from under this terrible mismanagement of the last 10 years. That is indeed what we plan to do.

**Ms Castrilli:** I simply can't believe that answer. I asked about children. I didn't ask about people who were abusing the system. I didn't ask about people who were trying to get something they weren't entitled to. We're talking about children. I can't imagine that the Premier could say, with a straight face, that he would want to watch children have to choose between food and medicine in this province.

That's what I asked you, Premier. How does a parent make a distinction between food and medicine when he's being asked to live at a subsistence level? That's the question for you, Premier, and I can't believe the answer you gave me. I find it absolutely shocking. I don't know that anyone in this House can believe anything you say, Premier.

**Hon Mr Harris:** I was asked what I would tell the children. I'd tell the children, as I said, that I'm disappointed and embarrassed to live in a province with this many children dependent upon welfare, higher per capita than Newfoundland. That's what I would tell the children.

*Interjection.*

**The Speaker (Hon Allan K. McLean):** Order. The member for Hamilton East is out of order.

**Hon Mr Harris:** I would also tell the children—it's not difficult to comprehend and understand—that there is hope, there is daylight at the end of the tunnel.

I'd tell them that in spite of the fact that here in Ontario the \$2 copayment is less than in Saskatchewan and British Columbia but the welfare rates are higher than in Saskatchewan and British Columbia, in spite of

the fact that we are still providing, on both drug benefits and welfare rates, far more generous programs than Saskatchewan and British Columbia—I mention those two provinces because of the NDP governments there; there are other provinces I could mention—in spite of that, we're going to balance the budget, we're going to have hope and opportunity and jobs for the future.

I'd tell them in addition to that that their parents, by working four or five hours a week, can earn back the difference to be at 30% or 35% higher than the rest of Canada.

I would say, is this province of Ontario great or what?

**Mr David S. Cooke (Windsor-Riverside):** What a lot of hot air we've heard in here today from the Premier.

#### HEALTH CARE FUNDING

**Mr David S. Cooke (Windsor-Riverside):** I'd like to ask a very simple question. Perhaps the Premier can clear up all the misunderstandings that are clearly in this place and right across the province with respect to his commitment, his personal commitment, on health care, a commitment he made after lecturing everyone else in this province who has ever been a politician that the reason there was no confidence in politicians is because they said one thing during an election and another thing once they got elected.

Now you're here. You got elected. It's very unclear to all of us. There was \$1.5 billion pulled out of health care yesterday. Can the Premier tell us, when is that money going to be reinvested, which fiscal year?

**Hon Mr Harris:** I want to be very clear. Yesterday not a nickel was pulled out of health care, not a nickel. Not a penny was pulled out yesterday. What we had yesterday was an announcement that over the next three years, starting in the fiscal year 1996-97, beginning with the first budget announced by the Minister of Finance, was a signal of the transfer payments and the changes that would be made to assist with the restructuring of some money that would be pulled out. This is what they asked for. They asked, "Give us the dollar figures now as far as the hospitals for the transfers."

So what I want to say very directly, well, you could say we could have waited, but we gave three years' notice to help and assist with the restructuring.

**Mr Cooke:** When are you reinvesting all of the money?

**Hon Mr Harris:** Over the next period of time—in the next budget, in the following budget, over the next three years—you will as well see the reinvestment. The only commitment that I make to you is this—well, I make two commitments: Number one, at the end of the restructuring exercise, before we go back to the people, the reinvestments will all have been made, and the second commitment is this: We will not do like the former government, spend money we don't have. We'll find the savings first and then reinvest. That's what we'll do.

#### PETITIONS

##### CHILD CARE

**Mr James J. Bradley (St Catharines):** I have a petition addressed to the Legislative Assembly as follows from people concerned about services for children.

"The governments at provincial and regional levels are threatening cuts to child care programs. We see child care as an essential service to the community. A reduction in subsidized child care programs would result in unaffordable and unavailable child care, causing higher levels of unemployment and welfare dependency."

This is signed by a large number of people in the Niagara Peninsula and I affix my signature to this petition.

#### HEALTH CARE FUNDING

**Mr David Christopherson (Hamilton Centre):** I have a petition to the Legislative Assembly of Ontario that reads as follows:

"Whereas Mike Harris said on May 30, 1995, 'If I don't live up to anything that I have promised to do and committed to do, I will resign'; and

"Whereas Mike Harris promised on May 3, 1995, 'No cuts to health care spending,' but in his November 29 economic statement we see \$1.3 billion or 18% in cuts to hospital spending over the next three years and a further \$225 million in cuts from the health care budget; and

"Whereas Mike Harris has clearly broken his promise to defend health care cuts in funding; and

"Whereas Mike Harris promised in the Common Sense Revolution that, 'This plan will create more than 725,000 new jobs,' but in his November 29 economic statement we see a prediction of only 253,000 jobs created over the next three years and an unemployment rate of 8.6% in two years, which is the same as it is today; and

"Whereas Mike Harris has clearly broken his promise to create significant jobs in this province; and

"Whereas Mike Harris promised in the Common Sense Revolution that, 'Aid for seniors and the disabled will not be cut,' but in his November 29 economic statement Mike Harris is cutting the Ontario drug benefit plan and making seniors and the vulnerable pay for their drugs; and

"Whereas Mike Harris has clearly broken his promise to seniors and the disabled;

"We, the undersigned, demand that Mike Harris keep his word and resign immediately."

I affix my signature.

#### MOOSE TAG LOTTERY

**Mr Frank Miclash (Kenora):** I have a petition to the Legislative Assembly of Ontario which reads:

"Whereas moose hunters must be in the possession of a valid moose tag to legally hunt moose during the designated hunting season in Ontario; and

"Whereas the Ontario Ministry of Natural Resources holds an annual moose tag draw for all applicants to determine those hunters that are to be eligible to hunt in designated wildlife management units; and

"Whereas the livelihood of many residents of northern Ontario depends on their ability to participate in the moose hunt; and

"Whereas in 1995, there were 106,013 applicants entered in the draw and over 66,000 applicants turned away without a tag; and



"Whereas some hunters have been unsuccessful in the draw for many years in a row,

"We, the undersigned, hereby petition the government of Ontario through the Legislative Assembly of Ontario as follows:

"That the Minister of Natural Resources hereby revise the annual moose tag draw to automatically issue a moose tag hunting permit to individuals who have been consecutively unsuccessful in a given number of previous annual draws."

I've attached my name to that as well.

1640

#### SERVICES FOR ABUSED WOMEN

**Mrs Marion Boyd (London Centre):** To the Legislative Assembly of Ontario:

"Whereas recent cuts to programs for abused women and their children seriously endanger their lives and will be costly in both financial and human terms, we are committed to the preservation of services to abused women and their children in Ontario. We are particularly aware that our community of London has developed a respected and successful integrated model of service delivery aimed at ending woman abuse.

"We, the undersigned, petition the Legislative Assembly of Ontario to preserve the existing services used in London to end woman abuse, and we therefore demand that cuts to services for abused women and their children in London be immediately restored and that no further cuts in funding be implemented."

I am proud to affix my signature to this petition.

#### HOSPITAL RESTRUCTURING

**Mr Monte Kwinter (Wilson Heights):** I have a petition to the Legislative Assembly of Ontario.

"Whereas the report of the Metropolitan Toronto District Health Council hospital restructuring committee has recommended that North York Branson Hospital merge with York-Finch General Hospital;

"Whereas this recommendation will remove emergency and inpatient services currently provided by North York Branson Hospital, which will seriously jeopardize medical care and the quality of health for the growing population which the hospital serves, many being elderly people who in numerous cases require treatment for life-threatening medical conditions;

"We petition the Legislative Assembly of Ontario to reject the recommendations contained within the report of the Metropolitan Toronto District Health Council hospital restructuring committee as it pertains to North York Branson Hospital so that it retains, at minimum, emergency and inpatient services."

I have affixed my signature.

#### HIGHWAY SAFETY

**Mr Frank Miclash (Kenora):** I have a petition to the Legislative Assembly of Ontario which reads:

"Whereas the Ministry of Transportation is intent on reducing northern winter road maintenance services; and

"Whereas such downgrading places the lives of northern residents at undue and unnecessary risk;

"We, the undersigned, petition the Legislative Assembly of Ontario to disallow these reductions in service and to guarantee that winter roads across the northern regions of the province receive the necessary maintenance to ensure the safe passage of drivers."

I have attached my name to this petition.

#### COMMON SENSE REVOLUTION

**Ms Shelley Martel (Sudbury East):** I have a petition which is signed by 13 residents in the city of Toronto. It reads as follows:

"Whereas Mike Harris said on May 30, 1995, 'If I don't live up to anything that I have promised to do and committed to do, I will resign'; and

"Whereas Mike Harris promised on May 3, 1995, 'No cuts to health care spending' but in his November 29 economic statement we see \$1.3 billion or 18% in cuts to hospital spending over the next three years and a further \$225 million in cuts from the health care budget; and

"Whereas Mike Harris has clearly broken his promise to defend health care cuts in funding; and

"Whereas Mike Harris promised in the Common Sense Revolution that, 'This plan will create more than 725,000 new jobs,' but in his November 29 economic statement we see a prediction of only 253,000 jobs created over the next three years and an unemployment rate of 8.6% in two years, which is the same as today; and

"Whereas Mike Harris has clearly broken his promise to create significant jobs in this province; and

"Whereas Mike Harris promised in the Common Sense Revolution that, 'Aid for seniors and the disabled will not be cut,' but in his November 29 economic statement Mike Harris is cutting the Ontario drug benefit plan and making seniors and the vulnerable pay for their drugs; and

"Whereas Mike Harris has clearly broken his promise to seniors and the disabled,

"We, the undersigned, demand that Mike Harris keep his word and resign immediately."

I have affixed my signature to it and I agree with the petitioners entirely.

**Mrs Margaret Marland (Mississauga South):** On a point of order, Mr Speaker: My point of order is that when members in this chamber use unparliamentary language, they not only offend the individuals or the group at which the parliamentary language is directed—

**The Speaker (Hon Allan K. McLean):** Order. I will deal with that matter after petitions.

Further petitions, the member for Prescott and Russell.

#### HIGHWAY SAFETY

**Mr Jean-Marc Lalonde (Prescott and Russell):** To the Legislative Assembly of Ontario:

"Whereas the Ministry of Transportation is intent on reducing northern winter road maintenance services; and

"Whereas such downgrading places the lives of northern residents at undue and unnecessary risk;

"We, the undersigned, petition the Legislative Assembly of Ontario to disallow these reductions in service and to guarantee that winter roads across the northern regions

of the province receive the necessary maintenance to ensure the safe passage of all drivers."

I also affix my signature.

#### HEALTH CARE FUNDING

**Mr Tony Martin (Sault Ste Marie):** I have a petition to the Legislative Assembly of Ontario.

"Whereas Mike Harris said on May 30, 1995, 'If I don't live up to anything that I have promised to do and committed to do, I will resign'; and"—

**Mr David Christopherson (Hamilton Centre):** He said that?

**Mr Martin:** Yes, he did.

"Whereas Mike Harris promised on May 3, 1995, 'No cuts to health care spending,' but in his November 29 economic statement we see \$1.3 billion or 18% in cuts to hospital spending over the next three years and a further \$225 million in cuts from the health care budget; and

"Whereas Mike Harris has clearly broken his promise to defend health care cuts in funding; and

"Whereas Mike Harris promised in the Common Sense Revolution that, 'This plan will create more than 725,000 new jobs,' but in his November 29 economic statement we see a prediction of only 253,000 jobs created over the next three years and an unemployment rate of 8.6% in two years, which is the same as today; and

"Whereas Mike Harris has clearly broken his promise to create significant jobs in this province; and

"Whereas Mike Harris promised in the Common Sense Revolution that, 'Aid for seniors and the disabled will not be cut,' but in his November 29 economic statement Mike Harris is cutting the Ontario drug benefit plan and making seniors and the vulnerable pay for their drugs; and

"Whereas Mike Harris"—this same Mike Harris—"has clearly broken his promise to seniors and the disabled;

"We, the undersigned, demand that Mike Harris keep his word and resign immediately."

I affix my signature to this.

**The Speaker (Hon Allan K. McLean):** Earlier today the member for Oriole had used an unparliamentary word in the Legislature. I see the member for Oriole is back in the Legislature again. I would ask her if she would withdraw that word.

**Mrs Elinor Caplan (Oriole):** Mr Speaker, I've been in this House for over 10 years. I've always—

**The Speaker:** Are you going to withdraw the word?

**Mrs Caplan:** Unfortunately, I can't find any other word to describe my feelings.

**The Speaker:** You're not. Then, Mr Sergeant at Arms, I name the member for Oriole, Mrs Caplan.

*Mrs Caplan was escorted from the chamber.*

#### REPORTS BY COMMITTEES

##### STANDING COMMITTEE ON GOVERNMENT AGENCIES

Mr Martin from the standing committee on government agencies presented the committee's first report.

**The Speaker (Hon Allan K. McLean):** Does the Vice-Chair wish to make a brief statement?

**Mr Tony Martin (Sault Ste Marie):** No, Mr Speaker.

**The Speaker:** Pursuant to standing order 106(g)(11), the report is deemed to have been adopted by the House.

##### STANDING COMMITTEE ON GENERAL GOVERNMENT

Mr Young presented the following report from the standing committee on general government and moved its adoption:

Your committee begs to report the following bill as amended:

Bill 8, An Act to repeal job quotas and to restore merit-based employment practices in Ontario / *Projet de loi 8, Loi abrogeant le contingentement en matière d'emploi et rétablissant en Ontario les pratiques d'emploi fondées sur le mérite.*

**The Speaker (Hon Allan K. McLean):** Shall the report be received and adopted? Agreed.

Shall Bill 8 be ordered for third reading? Agreed.

1650

#### GOVERNMENT BUSINESS

##### REPLIES TO ECONOMIC STATEMENT

**Mr Gerry Phillips (Scarborough-Agincourt):** I'm pleased to begin the response to the minister's economic statement. I don't think there's any doubt—I've said this statement is the defining moment for the new government. I think it very much spelled out what we should expect from the government. I think the people of Ontario now understand pretty clearly what the Common Sense Revolution is all about and I've said that we've seen the cold face of the Conservative government.

It has been presented as simply implementing the Common Sense Revolution. I would argue that it's not exactly what most people had been expecting from the Common Sense Revolution. My own judgement is that as the people of Ontario begin to see the full impact, they'll begin to realize that what they thought was going to happen isn't quite happening.

I'll use two or three examples as we get into the discussion on it, but I'm sure the government is quite pleased with the response in public opinion so far. The new government's ratings in the public opinion polls are quite high. I would imagine that you've gotten mixed reviews from the announcement yesterday.

**Interjection:** Positive.

**Mr Phillips:** Positive, some members say. Actually, the business community, I understand their point of view and they were almost tripping over themselves to get to the mikes out there, and that's understandable. But I will say this, that because all of us ran against this document, that there are already some surprises occurring.

I would say the first surprise is, without doubt, that you have broken your fundamental promise on health care. I don't care what the Premier says today; everybody in that campaign, including, I might add, I would think most of the members who got elected, thought your commitment was to not touch a penny of health care.

Make no mistake, this cuts health care. The hospitals of this province lost about 20% of their funding, and I



predict that over the next little while the first thing this government will begin to trip on is health. Certainly, as our hospital sector goes through some very tough times—and make no mistake about it, they are going through very tough times—to at one and the same time be cutting 20% out of their budgets, that will be something that will be on the hands of each and every one of you over there.

That wasn't in the Common Sense Revolution. In fact, in the Common Sense Revolution you were so clear, and the Premier repeated it hundreds of times, "We will not touch a penny of health care."

Yesterday we saw, firstly, a 20% cut out of the hospital budgets. Then we saw a second solemn promise. You said you would introduce no new user fees, and yesterday we saw new user fees. You couldn't have been more specific about not doing that. Again, I said to you, you got a lot of support because people felt they could vote for you and you were going to protect health care. I will say, particularly to the backbench members who go to caucus and have some opportunity to have some influence on the cabinet, that you will regret that move.

The second thing in the Common Sense Revolution that I don't think many people had realized was going to happen, is that it is the government's intention to cut spending by 25%. Twenty-five per cent of government spending will be gone. Prior to the election, it looked pretty simple. The Premier said: "This is all very easy. We're going to cut welfare, we're going to cut education bureaucracy, governance, and that'll pretty much handle it."

I don't think anybody, when they voted for this government, realized that you were going to cut 25% of spending.

**Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader):** On a point of order, Mr Speaker: I just wanted to clarify to help the opposition parties in their replies. We've had some discussion. It's my understanding, and I'm sure they will say otherwise if it's not theirs, that because this is not officially a motion, we have to establish some sort of ground rules for official responses and then continuing debate.

It's my understanding that the official responses would be as if you were having second reading debate of a bill or of a substantive motion. There will be 90-minute leadoffs by each of the opposition parties. We have agreed that they may choose to split up that 90 minutes as they see fit. There would be the normal question-and-answer time or responses. After those two 90-minute leadoffs are completed by each of the two opposition parties, we would then go into regular rotation of debate on the economic statement. We're continuing on with that, of course, on Monday, and the Legislature will be sitting until midnight on Monday as well.

**The Deputy Speaker (Mr Bert Johnson):** Agreed? So be it.

**Mr Phillips:** I want to proceed with what I think some of the surprises have been for people as they realize what this really means to them in human terms. The first big surprise is the cuts to health care. That was something

that was specifically ruled out. That was something that the Conservative government could not have been clearer on when it was running. They were not going to touch health care.

I think the second thing that reassured people was—in fact, they used the term—this plan guarantees full funding for law enforcement. I think many people are apprehensive about safety, so that was quite reassuring that somehow or other the Harris government had committed to ensuring that there would be a continuum of full funding for our police organizations.

The fact is, and this was never spelled out in the Common Sense Revolution, that what we call here transfer payments—the money the province gives to municipalities in this province—have been cut by 43%. Now, if any of us think that can simply be found in the cupboard of municipalities, we're dreaming in Technicolor.

The fact is that municipalities in this province have spent the last several years trimming down. I don't think there's a municipality in this province that hasn't gone through some very tough budget exercises. Yet we find that they are going to find their grants from the province cut by 43%. That was never in the Common Sense Revolution, but that's what's happened. If we don't think that is going to impact on the big part of municipal budgets, namely, police, then we simply don't know what reality is.

The third one is that we're not going to touch education; full funding will be guaranteed for education. We're only going to touch the bureaucracy. We saw yesterday that this budget cuts out of our elementary and secondary schools 10% of the provincial funding in one year, and it's clear the government plans further cuts. They said that there would be further substantial cuts. Once again, I think people are now beginning to realize that there is a limit to how much one can cut bureaucracy and I don't think there's much doubt we are going to see cuts in the classroom. I don't think there's any doubt at all about that.

Why is all of this happening? It is because this government has made a second big commitment, and that is for a 30% reduction in personal income tax.

**1700**

I remember very well the day that promise was made. I was meeting with several economists and business people who provided our party with advice, and I said: "What do you think of this? Because they've just introduced this, I think the public will be quite attracted to it. What do you think of it?" They essentially said, "It's crazy. You can't cut \$5 billion out of provincial revenues and still keep your fiscal house in order. It's nuts. Just leave it be. It will die of its own weight." It didn't. The government got elected, but it is a \$5-billion tax break.

The reason we're going through this pain, and this is what the government says: "We have to cut \$8 billion and we're going to take \$5 billion of that for a tax break. We're going to take the other \$3 billion to reduce the deficit."

I've said and actually the NDP also said, "Listen, if this were just about the deficit, if that's all we were

fighting, if we all were in this battle to fight the deficit, we could understand that." We could understand the pain of the cuts to school boards and colleges and universities and what not, but how could it be that if we have this huge deficit problem that is all-consuming, if the deficit is so important, how can we afford a \$5-billion tax cut?

By the way, I might add, for people who worry about debt and deficit and interest costs, that the government said just yesterday the budget does not get balanced until March 31, 2001. By the way, that's well after the next election, because legally this group cannot survive without an election well before that.

**Mr John R. Baird (Nepean):** You never know.

**Mr Phillips:** Someone said, "You never know." That may even be in what we call this omnibus bill, but there's no way that you are going to be able to balance the budget before we've had another election.

But I would say that the tax cut is money that has to be borrowed. It isn't as if we have this money around. Just the other day one of the cabinet ministers said, "The province is bankrupt," but we can still afford a \$5-billion tax break. I would say that over the next five years the province has to borrow \$20 billion just to pay for the tax break.

So when people now are starting to see the full implications of the Common Sense Revolution and what it really means, and the cuts are far deeper than you promised in the election—you had said it's very simple to find \$6 billion. Now we're finding it isn't \$6 billion; you have to find \$8 billion. Now we're finding that you are touching things that you said you would never touch. Health care, policing, classroom education, all those things are going to be touched, and why? Because you have to cut spending by \$8 billion to find the \$5 billion a year in a tax break.

Actually I suspect the tax break among many people out there is going to be very popular. I don't doubt that, and if you're making good money in this province, you're going to be very pleased with it, except this: There is more to our communities than just how much money you take home. I guarantee you our communities, as a result of this, are going to be far worse off. I believe our health care system is going to struggle very badly as a result of this, and the kind of caring, compassionate society that we've seen in Ontario, in my opinion, is beginning to be eroded.

And why? It's because you have to find \$8 billion of savings that you had not planned. You had not planned to find that amount of savings.

I wanted to talk about some other things that weren't in this document, that concern me greatly. You may recall, some of the members may recall that we have been saying this really should be a budget, because it is in the budget that we get what's called a medium-term fiscal outlook. I would say to the business people and others that if you were to take this document to a bank, if this were your business plan, the banker would send you away and say, "It's missing the most important page, and that is your medium-term fiscal plan." It's not in here. Every budget has it. But the reason, in my opinion, the government—

**Mr Baird:** The bankers would love it.

**Mr Phillips:** I hear some heckling from over there, saying the bankers would love it. Business people, I think, understand that if you want to gain the confidence of people you should lay out your plans. What we've got here is no plan at all. There is—

**Mr Bill Murdoch (Grey-Owen Sound):** We laid it out right there. It's a good plan.

**Mr Phillips:** The member for Grey-Owen Sound is also barking over there, but I will tell you, if you took this plan to a bank they would not lend you money. Why? Because the government refuses to put in what revenue you are expecting, what expenses you are expecting.

It is actually a bit of an embarrassment to the business people and others in this room that you would present this document without a fiscal plan. It's an embarrassment that you have no estimate of revenues for the next three years, no estimates of expenditures. You've got one little table in there that shows the deficit. As I say, you couldn't present a budget like this and that's why you didn't present a budget, because you refuse to divulge the real finances of the province.

I object to it. I frankly thought when the Minister of Finance responded to me when I said, "Why aren't you presenting a budget?" he essentially said, "You will get the same thing in this statement as you get in the budget." Well, that's not true and I didn't. I resent it, frankly. It was unfortunate and I think I was given some wrong information.

**The Deputy Speaker:** Would the member take his seat, please.

The member for Renfrew North was asked to withdraw some language earlier. Are you prepared to withdraw it?

**Mr Sean G. Conway (Renfrew North):** Sir, your every wish is my very command.

**The Deputy Speaker:** I would ask the member to withdraw the unparliamentary language that he used earlier.

**Mr Conway:** Whatever you want, Mr Speaker, is my first and my last instinct.

**The Deputy Speaker:** I would ask you to withdraw the language or I will have to name you.

**Mr Conway:** I withdraw whatever it is that has given offence, sir, to your illustrious person and your colleagues.

**The Deputy Speaker:** I and the House thank you for your withdrawal.

**Mr Conway:** Thank you, Mr Speaker. I'm glad that Mr Speaker Lamoureux has—

**The Deputy Speaker:** Thank you. The Chair recognizes the member for Scarborough-Agincourt.

**Mr Phillips:** To pursue the comments, I was saying that not many people in the province perhaps realize this will be the first time in the entire history of the province where we have not had a budget. I would think, particularly for the new members, you should ask the question: Why don't we have a budget? What have we got to hide? Why don't we have a budget? You say, "Well, we got



elected in June, so what would you expect?" There have been lots of governments in the history of this province elected in June, but they always presented a budget. The reason you don't have a budget is because, in my judgement, you don't want to disclose the numbers to the public. I think that's wrong and if I were on your side and in particular on the back bench I wouldn't let it happen.

But back to the statement. This is, as I say, the defining moment. I think we are heading down a road that I feel very uncomfortable with to a meaner, less compassionate, less caring society. It's not the Ontario that I want. I'm not even sure that it's what many of the members thought they were running on in the Common Sense Revolution. For some of you it is. For some of you things are going along just great, but for others I hope you're beginning to see that what you ran on and what you're doing are two separate things. You never ran on cutting health care. You never ran on cutting assistance to our policing organizations. You never ran on dramatic cuts to education.

1710

Even in the tuition area—if I can lay my hands on the tuition document; I'm not sure I'll be able to quickly—on the education front you made a commitment to the students of this province.

*Interjection.*

**Mr Phillips:** No. What you said was "very modest increases in tuition fee"—modest increases in tuition fee. That was your commitment to the students of Ontario. What's the first thing we see from the government? A 20% increase in tuition fees.

Many students did vote for you on the basis of, "Gee, I can handle a modest"—

**Mr Baird:** No, it's 10%.

**Mr Phillips:** One of the members is putting up 10%. You say 10% plus the discretion for another 10%. Let's just recognize that it will be a 20% increase in tuition fees to students. I don't think students understood that when they voted for the government. I don't think they understood that, but that's what this document calls for.

I also wanted to touch briefly on jobs, because I think it will be two things that people really hold this government accountable for. One is health care, and in my opinion, it's getting very shaky right now. The second is jobs. You often repeat the story that you're going to see 725,000 jobs created in this province over the next five years.

**Mr Baird:** We're on time.

**Mr Phillips:** The member says you're on time. If somebody says you're on time, then I don't think you understand the numbers.

As I say, this will be the second thing I think this government is going to have trouble with. If you look at your own document on page 5—I hope you've all read it—first, jobs in 1995. When you put together the Common Sense Revolution you assumed 1995 would have a 115,000 job growth, but it didn't materialize. Believe me, I don't blame you for that; you had very little to do with the job growth in 1995. But when you put your plan

together we now find it isn't 115,000 jobs, it's 72,000 jobs, so you're sliding well behind.

We find, even in October, that we still have 14,000 fewer jobs in Ontario than we had at the start of the year. We've gone 10 months with no job growth in the province of Ontario. We have a real serious job problem.

Then you assume that job growth will be 145,000 jobs a year for the next five years. I realize that you think the job growth will come on an upward trend, but next year, the first year as the full impact of what you're doing begins to hit, first you say the unemployment rate is not going to change. The unemployment rate next year is going to be exactly the same as it is this year—no change.

For all the people out there who are hoping and thinking that this Common Sense Revolution is going to kick in and suddenly we are going to find unemployment dropping, your own numbers show that the unemployment rate remains totally unchanged through 1996.

I know you're anxious to chase people on welfare into the workforce. That's fine. But when, by your own admission, the unemployment rate is not going to change a bit next year, you are dooming them to a real challenge. You're saying, "Sorry, the unemployment rate isn't improving next year, but you go get a job." We all hope and pray they do, but I think we should recognize that it isn't going to be that simple.

You're projecting job growth next year of 81,000, the following year of 100,000.

In order to hit your numbers, your 725,000 jobs, you, by your own admission, have to see real growth in this province of 6% a year, but you're not predicting 6% a year. I say to the backbench members that I would start to ask some pretty good questions of the cabinet: "Listen, we promised 725,000 jobs. We're saying that every day, but it looks like we're starting to get behind the eight ball here. What's happening?"

I think it's clear, by the way, that the impact of this statement on direct jobs is going to be very significant. The minister himself acknowledged that there will be significant numbers of jobs eliminated as a result of this, so it makes the challenge of job creation even greater. I don't think it's unfair to say that we probably will see about at least 70,000 positions eliminated as a result of this economic statement.

**Interjection:** Where do you get that?

**Mr Phillips:** Where? Well, you've said you're going to cut 13,000 civil servants' jobs. You've said that you're going to cut \$1.5 billion out of education, you're going to cut \$600 million out of municipalities, you're going to cut at least \$100 million out of admin and health. You've cut Jobs Ontario Training. You've cut the youth employment program. It's 70,000 jobs. That's just reality.

I accept that one can't spend money forever on creating jobs, but just in terms of the challenge of how we're going to deal with jobs, it's significant.

I've said this in the Legislature before for all of us, in as non-partisan a way as I can, that the young people of this province face an enormous challenge. I've looked at the numbers of unemployed and I think I could demon-

strate to you that the unemployment rate among young people is at least 25%; it's probably closer to 30%. And I go back to the fact that even with your plans beginning to kick in, the unemployment rate does not change a bit in 1996.

On the two things that I think this government will be held accountable on—health care and jobs—I'd say you are beginning to sow the seeds of some major problems for yourselves, but more importantly, for the people of Ontario.

The way you're proceeding, none of this comes as a surprise. I said several weeks ago that I thought you would follow a certain model, and you're following it. You're on a game plan to implement your agenda. I realize that many of you totally believe in this agenda. The way you do it is, as Ralph Klein says, that you don't blink, so even legitimate, strong criticisms of your plan you will ignore.

If any of you have come from a municipal background, I think you can understand the rage people feel when their voices can't be heard here. I don't blame you for that. The system around here operates in a way that voices seem to have difficulty being heard. But it's increased to a greater extent than we've ever seen. The barricades out front I think are almost a symbol of rejection in this place. I've said this before, but even the road around this place—this place is isolated. We are sowing the seeds of real distrust and unrest when people don't feel they have any access.

**Mr Leo Jordan (Lanark-Renfrew):** That's fear-mongering.

**Mr Phillips:** Scaremongering? The member across there says I'm scaremongering. Have any of you read the omnibus bill that was introduced yesterday? Have any of you gone through the omnibus bill, except perhaps some of the cabinet ministers? It is so far-reaching. It touches fundamental rights of people that have been earned over literally decades, and you want to take those rights away in a matter of days. You may think that the rights you're taking away they shouldn't have, but you are taking away some very fundamental rights from communities and people.

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**Mr Douglas B. Ford (Etobicoke-Humber):** The responsibility is there too.

**Mr Phillips:** The member says "responsibility." I don't think you ran on the basis of taking those rights away. Even if you want to, people have a right to be heard. You don't have any right to be a dictator. You may have a right in the end to change it, but I would say to you that the anger you feel in here is going to grow.

If you go through those bills, the changes that are proposed, yes, they make the government's life easier; yes, they make implementing your economic plan easier. But it is tampering with people's fundamental rights. We heard just today about a few of them.

Closing hospitals: You may think it's right to close hospitals, but if there's one thing that communities feel strongly about over many, many years, it is their local hospital. They have put their tears and sweat in—

**Hon Cameron Jackson (Minister without Portfolio [Workers' Compensation Board]):** The Liberal policy now is not to close a single hospital. Is that what you're now saying?

**Mr Phillips:** We have the usual heckling from the minister of—I don't know whether he still has the job or not—workers' comp.

I'm saying that people have a right to express their views on things. You don't have a right to go around closing community hospitals. No, you don't have that right. You don't have the right to go and unilaterally set up new municipalities. You don't have the right to change people's arbitration without a fair hearing. You don't have those rights. You may think you do.

This is the problem, and the people at home I think should be aware. What we've got is a group of people who believe so fundamentally that they're right that they refuse to hear dissenting opinions. I guarantee you that it won't work.

**Hon Mr Jackson:** Why do you say that, Gerry? You saw the results on June 8.

**Mr Phillips:** The results of June 8. Now we're starting to roll, because what I think I'm hearing is: "We got elected. We will do whatever we want."

**Mr Peter Preston (Brant-Haldimand):** Whatever we promised.

**Mr Phillips:** He said, "We will do what we promised." You, sir, promised solemnly to not touch a penny of health care and you broke that promise yesterday. You broke that promise yesterday. You could not have been clearer on copayments. Now that you have asked for a discussion on this, I'd like to go over it. Here's what you said. This is the Common Sense Revolution:

"For some time now, there has been growing debate over the most effective way to ensure more responsible use of our universal health care system. In the last decade, user fees and copayments have kept rising and many health care services have been 'delisted' and are no longer covered by OHIP." That's what you said.

"We looked at those kinds of options"—in other words, you looked at delisting, at copayments, at user fees—"but decided the most effective and fair method was to give the public and health professionals alike a true and full accounting of the costs of health care, and ask individuals to pay a fair share of those costs, based on income. We believe the new fair share health care levy, based on the ability to pay, meets the test of fairness and the requirements of the Canada Health Act while protecting the fundamental integrity of our health system.

"Under this plan, there will no new user fees."

You couldn't have been clearer that you told the people of Ontario—

**Hon Mr Jackson:** Diane Marleau endorsed this budget, the federal Minister of Health.

**Mr Phillips:** You above all, who go around saying you're the friend of the seniors, sit there and heckle when you've broken a fundamental promise. I appreciate the cabinet minister being here to heckle, and I'd like the



seniors of this province to know exactly who that member is. It's Mr Jackson.

**The Deputy Speaker:** The member for Burlington South will come to order.

**Mr Phillips:** Mr Jackson is heckling over here when I'm pointing out to the seniors of this province that you were promised something in the campaign. Mr Jackson went all around in Burlington and Halton saying to the seniors: "No user fees. Trust me. No copayments. Trust me. We have a different way. We're going to base it on ability to pay." That was a solemn promise you, Mr Jackson, made, and now you come in here to heckle when we're pointing out that you personally have broken a major commitment that you personally made.

You can keep heckling me, and I will keep pointing out to the people of Ontario who's over there, who's heckling, who used to say he was a friend of the seniors and a friend of people on social assistance and now has—if I could use the term that was used earlier in the House, I would, but I want to keep speaking.

**Hon Mr Jackson:** You don't even have the courage to use it.

**Mr Phillips:** He says I don't have the courage to use it. The term we use, Mr Speaker and the people of Ontario, that will not allow me to stay in the House is that during the campaign, the member was not being—I will use the term at the end of the day, and I'll specifically use it about you, because you did it.

You can sit there and keep heckling and I will continue to point out to people of Ontario that it was you who made that promise who now comes in and says: "Tough luck, seniors. We didn't keep our word." I'm so tempted to use what I really think about you, what I'd really like to say about you.

I'm back to the solemn promises that were made in the campaign on health care. If any of you can show me the document where you said, "We are going to cut health spending for two or three years," find me that document. Bring it to me. Show it to me.

You couldn't have been clearer in everything you did: "flat-line," that you wouldn't touch a penny. We looked the other day at the now Premier talking endless about not touching a penny of health care. Here we are now, five months into the government, and what's happened? You said it was your most solemn promise, and you broke it. You can characterize it any way you want, but it's a broken promise. And why? It's because, I know, you are dedicated to the tax cut. I know that for many members of your caucus, this is fundamental to them. They probably would leave the caucus if you didn't implement the tax cut. I think it's fiscal lunacy, I really do. I just don't think you can cut \$5 billion of revenue out of the budget and still have a fiscally responsible plan.

**Mrs Marion Boyd (London Centre):** The Dominion Bond Rating Service agrees.

**Mr Phillips:** As the member for my old home town says, the Dominion Bond Rating Service agrees. But you're going to do it because it's part of the ideology, and I understand that. But why are we cutting \$8 billion

when you said you were going to cut \$6 billion during the campaign? It is because you've got to do that to keep the promise of the \$5-billion tax cut.

You will go ahead with that, and I must say it will be popular among many people. I know that's what you're counting on. But the cost of that cut is a fundamental shift and change in the fabric of Ontario, in my opinion not for the better.

I go back to my concern about the lack of a fiscal outlook in this document. The first table people turn to in a budget is what we call the medium-term fiscal outlook, the three-year plan. It is those numbers that become the basis for people evaluating, where is this province going? What is its plan? I'm surprised that the members of the backbench haven't raised that issue with the government. You all want to run this in a more business-like way, you all want to be very fiscally responsible, but no business in Canada could ever prepare its fiscal plan without showing a three-year financial plan. It just is unacceptable. We don't have it in this document.

**Mr Jordan:** You'll get it in March.

**Mr Phillips:** The member says we'll get it in March, and I appreciate that comment. He says: "Just trust us. Leave it for a while."

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I go back to, why don't we have it? Why is it that for the first time in the history of the province, there is no budget? It's not because there was a June election. There have been many June elections in the past—always a budget. It's because, in my opinion, the cabinet wanted to keep everything to themselves. I have a feeling that not too many of you on the back benches were even given copies of the omnibus bill, have even been through the omnibus bill. I'm not sure many of you in the caucus on the back bench have had a chance to go over the fiscal plans.

This document is designed as much to hide the numbers as to reveal the numbers. If we were to ask any one of you, "How much are the reductions each year?" I don't think you could answer that question. "What is the revenue forecast for next year?" None of you could answer that question, not even for next year. There is one table in here. It simply shows the deficits over a five-year period.

I go back to the campaign document you ran on. It was successful and you're there and we're here, so I guess I take my hat off to you in that respect. But it's now proving to be a bit of a phoney document.

**Hon Al Leach (Minister of Municipal Affairs and Housing):** We're at 58%

**Mr Phillips:** The Minister of Municipal Affairs and Housing says 58%. Yes, I know, 58% still think this is a government they would support. I say to you, and I feel very strongly about this, that I fundamentally disagree with the direction you're taking the province in. I fundamentally disagree.

**Hon Mr Leach:** That's why you're there and we're here.

**Mr Phillips:** The reason you're over there is because you promised people: "We won't touch health care. We

won't introduce new user fees. We won't increase tuition fees. We won't cut \$8 billion, we'll just cut \$6 billion, and it will be mainly welfare and education bureaucracy."

This document is beginning to fall apart before your eyes, starting with this solemn promise on user fees and on health care, and now on jobs. Believe me, we will hold your feet to the fire on jobs.

**Hon Mr Leach:** It's better than the red book.

**Mr Phillips:** I appreciate the Minister of Municipal Affairs and Housing being here, because we are anxiously looking forward to the debate between him and Mr Saunderson on rent control.

**Hon Mr Leach:** We're in unison.

**Mr Phillips:** You may be in unison here, but Mr Saunderson probably has a little explaining to do. He's one of the cabinet ministers, for those who aren't familiar, who got elected on a platform of strengthening rent control and making it tougher for those dastardly landlords and really putting it to them. Now that he's here, he finds he's not the minister responsible for rent control; somebody else is, who has quite a different opinion. It is going to be fun to watch.

Also, frankly, it's going to be interesting to watch as each municipality wrestles with the cuts in transfer payments. First, in the Common Sense Revolution that you ran on, there was never actually a mention in here, you can't find it in here, of the cuts to municipalities. You can't find it in here. It's not mentioned here.

But now that you're elected—and you had lots of support among municipal politicians; no question of that—it's, "Sorry, municipalities, now we've got to cut you by 40%, and by the way, don't touch policing and don't take taxes up." We'll begin to see the implications of—it may not be a broken promise, but did any of you tell the municipality you're running in you were going to cut transfer payments by 40%? I don't think so. We'll be looking forward to the implications of the cut.

Why are we doing all of this? It's because you have to cut \$8 billion dollars from your budget to fund the \$5-billion tax cut.

There's another interesting table in here on what happens to the debt and deficit. I can't help it, but I found it interesting. Sorry about this; this should get you hooting and hollering. I see here in your deficit a balanced budget in the year—when was that? This isn't my document; this is your document.

**Mr Wayne Wettlaufer (Kitchener):** Which edition?

**Mr Phillips:** The one you put out yesterday. I never say Liberals are great money managers, nor do I say the NDP are great money managers, but I will just say to you that the Conservative government went 15 years and never balanced the budget—never, ever. Now you're going to go five more years. You'll set, I think, a Canadian record: 20 years of Conservative governments without a balanced budget.

I know you don't like to look at this, but this is your own document, so take a look at it. I know you don't want to hear about a balanced budget, about us saying it, but take a look at it right here. There it is right there: 1989-90. That's not my document; it's your document.

I make that point because I know that the people in the Premier's office almost don't want you to know about the balanced budget. But somehow or other that chart got sneaked into the book, and there it is: the only balanced budget now in 25 years in the province.

I love this. I say to my business friends, "Don't assume, because their name is 'Conservative,' that they know how to manage the money." As a matter of fact, many of the business people were thrilled when Mulroney got elected: "Finally, we got our person down there." What happened? Never made a dent in the deficit, never touched the deficit, made a huge mess of things, bigger now than we even thought. So I say to my business friends, "You may not love us, but don't assume these people have any idea of how to manage the finances."

As a matter of fact, in my opinion the \$5-billion tax cut is fiscally irresponsible. It makes no sense to me to go out and borrow all that money for a tax break. I looked at it. I said, "You've got to pay at least \$3 billion of interest on that tax break." You give people a tax break, it's all borrowed money, and you're paying interest on it. It doesn't make much sense to me to do that, other than that maybe politically your friends think it's great. But you've got to go out and borrow all that money to do it.

**Mr Wettlaufer:** You thought it was fiscally responsible to spend like you did in the 1980s.

**Mr Phillips:** I hear carping over here from someone. Believe me, I don't end up defending the Liberal record completely, but deficits went down every single year, a balanced budget, unemployment dropped dramatically, we had the best unemployment rate probably in 20 years in the province.

I'd say to this group, what are the first steps you're taking? What you're doing is cutting jobs dramatically. We understand that. But you're cutting jobs at a time when the economy is just barely getting off its knees. I don't know what other members felt, but I was amazed that we were in a recession in the first six months of 1995. It came as a surprise to me. I thought that we were heading to a very good 1995, but according to the document here we were in a recession in the first six months of 1995. The economy is just now kind of back on its feet.

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I will say to all of us I think there's a distinct possibility that the statement that you announced yesterday will, at the very least, slow the economy down significantly. I hope it doesn't throw us back into recession. I'm not advocating spending our way out of it, but I am saying the reason why you are driven to at least cutting 25% more money than you promised in the campaign—and that's what you're doing; you're cutting 25% more money than you promised—

**Mr Wettlaufer:** How much higher was the deficit?

**Mr Phillips:** The member over here asks, "How much higher was the deficit?" But you've chosen to cut 25% more spending but not to touch the tax cut. You're still going to go ahead with your \$5-billion tax cut. So you've made the decision. You've made the decision that the cuts are going to be far deeper.



I was shocked that you have told the hospitals of this province you're going to cut 20% of their funding. I don't know how you feel about it. I have some idea of the challenges hospitals are going through right now. In Metropolitan Toronto I gather there's a major restructuring you're planning. At the same time as they're trying to work their way through a restructuring, you're going to cut 20% of their funding. I will say to all of us that the commitment you made on health care couldn't have been clearer, and you're all going to pay. You'll pay substantially for that.

On the debt and deficit, I think most people in the province kind of assume that the big money managers are going to get the deficit well under control. I'm not sure that they all realize that it is your plan to add \$30 billion to the debt. You're all going to be around here adding \$30 billion to the debt, and when you go to the next election, somebody will say, "Wow, you added \$30 billion to the debt when you were down there?"

**Interjection:** Is that completely accurate? Is it \$30 billion?

**Mr Phillips:** Yes, it's \$30 billion. One of the members says, "Is it accurate?" I take it out of your own statements: \$30 billion to the debt. As I said earlier, when do you balance the budget? March 31, 2001. When's the latest time for the next election? June of the year before. So you won't balance the budget until eight months after the maximum of the next election.

*Interjection.*

**Mr Phillips:** Pardon me? I really like the Minister of Municipal Affairs and Housing. I wouldn't say he's the most arrogant here, but I think he'd like to think of himself as the most arrogant.

I assure you that, come the next election, the Minister of Municipal Affairs and Housing will have to explain the cuts to health care. He will have to explain the fact that the 725,000 jobs have not materialized. He will have to explain to the people of Ontario how we got into this problem with our policing, with our educational system, how we allowed tuition fees to rise. So I'm looking forward to the opportunity for the next election.

But here we are debating right now your first big financial statement. I'm saying to you, yes, it is a defining moment; yes, it is fully arrayed now what the public should expect from the Common Sense Revolution, and I said it earlier. I have no doubt that there are still a large number of people out there very supportive of this—

**Mr Preston:** It's 62%.

**Mr Phillips:** Sixty-two per cent now, the member said, are very supportive of it. I'm sure you go home and at the chamber of commerce and the various business communities you get a slap on the back. But the impact of this has not been felt yet.

The impact of this comes as the hospitals feel the full brunt of your cuts, as seniors who voted for you realize that you broke that solemn promise, as the jobs that you have promised fail to materialize, as municipalities are forced to cut back on their policing services and as classrooms finally get impacted by this and as fees on all sorts of services are added.

The number we were given yesterday from the officials is that the average senior in this province should expect to pay \$200 more year for their drugs than they do currently. You may say, "Well, they can afford it," but if that's not a tax on the seniors, I don't know what is. If that's not a \$200 tax on the seniors, I don't know what is.

I think seniors now listen to this and realize: "Wait a minute. If I'm making \$150,000, I'm getting a \$5,000 tax break. But if I'm a senior, I'm paying \$200 more a year for my drug plan. Somehow or other this common sense isn't making as much common sense as I thought back in June when I voted for these people."

*Applause.*

**Mr Phillips:** I appreciate the clapping because I gather you're saying that many seniors did vote for you, and they did. Why did they do that? Because they believed you. They believed you when you said you wouldn't touch health care. They believed you when you said you wouldn't put copayments and user fees on the drug benefit plan. Now they're starting to realize maybe they shouldn't have. It's going to take a while to fully work its way through, but it surely is beginning to do that.

I wanted to talk a little bit as well, once again, on the omnibus bill that was introduced today. My experience around here is that the public care very little about these matters of bills. They just assume it's squabbling going on between parties and tune it all out. But I would say to the public that this is a government that will take this to new heights.

You loved Bill 7, but the labour movement had a legitimate complaint about consultation on that. You made sweeping changes to a fundamental right for them, absolutely sweeping changes, and I was critical of the NDP on their labour bill because I felt it was basically a very one-sided bill. I think any objective observer would say this Bill 7 was very strongly a pro-management bill, basically 100% pro-management. But there was no debate on it. You changed the whole lives of the labour movement dramatically and they never had a chance to ever say a word about it. In the end, you can't do that, although you may be able to ram a few things through.

Now, having tasted that Bill 7 which you put through with no debate—I was once responsible for a bill, it was Bill 208, and I can remember going around the province everywhere with the bill. It wasn't particularly pleasant, frankly, because the labour movement wasn't thrilled about it, but I had no difficulty in agreeing to hearings. As a matter of fact, we made some changes in the bill, and I think we made some improvements in the bill.

**Mr Ford:** People made changes in the party too.

**Mr Phillips:** The member is once again heckling over there, but I'd say to the member that people are owed an opportunity to express their views.

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**Mr Wettlaufer:** They did that on June 8.

**Mr Phillips:** I'm not sure people at home could hear that. The member just said they did it on June 8. What that member essentially is saying is: "We were elected on June 8. We will do whatever we want."

**Hon Mr Leach:** Mr Speaker, on a point of privilege: I'd like to ask the honourable member across if he would withdraw the word "arrogant." We have sat here this afternoon intently listening to his comments and offering constructive criticism, more than any member of his own caucus was prepared to do, and I think that was totally uncalled for.

**The Deputy Speaker:** The Chair didn't see anything irreverent or unparliamentary about it.

**Mr Phillips:** If it offended the member, I withdraw the thing. I will withdraw what I said, not what I think.

The member over here said that on June 8 the people spoke. Essentially what he's saying is: "We got elected. We've got a majority. We will do whatever we want. People will not have an opportunity for their voices to be heard."

**Mr Wettlaufer:** I don't think I said that.

**Mr Phillips:** Well, you did say that.

Yesterday we had a bill introduced here that, believe me, is far-reaching. It allows the Minister of Health for the first time ever to unilaterally close hospitals. It allows the government to force through its copayments and its user fees. It permits the government to organize municipalities essentially in whatever way it wants to. It takes away fundamental rights from firemen, from policemen, from people whose collective bargaining is around arbitration.

You may in the end be right or wrong about that, but if I were a policeman or a fireman in this province, I would be up in arms. I would say, "How could you, with no debate, never talking to us, take away those fundamental rights?" You got elected on June 8. That's the reason you want to give people. You try it. As I said before, the reason why I think anger is building in this community, in Ontario, is for exactly that reason. It's the arrogance. It's the arrogance of "We will do whatever we want."

I will say to the members of the back bench, you can have some influence on this. If you find that behaviour acceptable, you'll live with it. You'll live with it in terms of groups increasingly distrusting you and you'll live with it in the next election. I wouldn't tolerate it. I wouldn't tolerate the introduction of an omnibus bill like that, that touches so many people's lives, and to say that we are going to pass all of this with virtually no debate.

Back to portions of the economic statement that we saw yesterday: I would say on the jobs front, the job forecast is beginning to get very shaky. The members can look at it whatever way they want, but job creation is very slow, far slower than the architects of this Common Sense Revolution thought it would be and far slower than it should be to hit your 725,000 new jobs.

The economy is far weaker than you thought, and my judgement is that one of the reasons we are looking at an \$8-billion cut is because—

**Mr Toni Skarica (Wentworth North):** On a point of order, Mr Speaker: The honourable member has an obligation to point to accurate facts, in my submission. He indicates that our job creation figures are not in accord as forecast in our document. In fact, the Statistics

Canada figures I referred to for the last two months indicate 27,000 jobs have been created in Ontario, times six is 160,000, times five is 800,000. They're right on track, so I don't know where my friend gets his figures.

Just one other fact: If he could look at page—

**The Deputy Speaker:** Would the member please take his seat. My ruling is that it's not a point of order, and I'd ask the member for Scarborough-Agincourt to continue.

**Mr Phillips:** I appreciate that, Mr Speaker. Where do I get my figures? I'll tell you where I get my figures.

**Mrs Margaret Marland (Mississauga South):** On a point of order, Mr Speaker—

**The Deputy Speaker:** Your point of order, please.

**Mrs Marland:** Very briefly, my point of order is this, Mr Speaker, that I think if we are talking about jobs, we could talk about the 36,000 people who were on welfare who are now working. Thank you.

**The Deputy Speaker:** My ruling is that that is not a point of order as well.

**Mr Len Wood (Cochrane North):** The fact is that in yesterday's statement they fired 100,000 people with their economic statement.

**The Deputy Speaker:** Would the member for Cochrane North please take his seat.

**Mr Phillips:** I'll tell you where I get my figures. It's from the Ministry of Finance. From the Minister of Finance's office. Here is the chart they publish. This is straight out of their document. It shows job growth going on and then flattening out. That's not my numbers, that's the Ministry of Finance numbers. He's standing right there. You ask him where he gets his numbers. I just take the numbers from him.

I also see here—this is straight from "Labour Market Economic Conditions," office of economic policy, November 3. Here are the numbers. This is straight from the Ministry of Finance: jobs in December, 5,254,000; jobs in October, 5,240,000; down 14,000 over the year.

So I frankly resent the member taking my time when he hasn't done his homework, but the fact is, I get them from the Ministry of Finance and I actually read this stuff and that's where I get the numbers and that's why I say this is a chart that's published by the Ministry of Finance indicating the problem with the job market.

If what you're trying to say is there isn't a major problem with jobs in this province, then this province is in bigger trouble with this government than I thought. We have a huge problem with jobs and that's why I frankly resented the attack on welfare people. I resented the fact—and now that you've got me angry—the government sent out a notice saying: "Stop welfare fraud. If you suspect anyone of welfare fraud, phone this number."

You know what you did? You sent it out to all sorts of community organizations, to municipalities and you said, "Go around and post this in public buildings." And nothing gets me quite as angry as this because you essentially made everyone on welfare feel that they have to feel somehow or other second-class citizens and worried about being hunted down. You did that. It was a



"Dear colleague" letter from the minister saying, "Please post this on public buildings." That was, I found, objectionable.

I don't mind stamping out fraud with welfare obviously, but to essentially say, "Go out and"—and then you know what else that made me mad in this document here? What does it talk about? It talks about hiring more tax auditors. Never a mention about this hotline to track down tax cheats.

This government has got two standards. If you're on welfare and you cheat, you deserve to be hunted down even if you're suspected. I found that totally objectionable, just suspect somebody. Do you know what that does to people? It turns people against people.

*Interjection.*

**Mr Phillips:** Yes, but then the tax thing, which is a problem that the auditor says is 10 times as big as welfare fraud, you decided to go out and quietly hire a few more tax auditors, and no mention of this hotline to track down tax cheats. Either you think tax cheats don't deserve the same treatment as welfare cheats or you've got two standards. I suggest to you you've got two standards. I say to you, this is symptomatic—

**Mr Wettlaufer:** Point of order, Mr Speaker: He's questioning motive.

**The Deputy Speaker:** I'm sorry. Your point of order?

**Mr Len Wood:** There is no point of order.

**Mr Wettlaufer:** Questioning motive. Alleging that we have two standards, Mr Speaker.

**The Deputy Speaker:** My ruling is it's not a point of order. I'd ask the member for Scarborough-Agincourt to continue.

**Mr Phillips:** The reason I raise all of this is because we're starting to see a pattern, and if you are over on the back bench, I would object to it, pattern being the omnibus bill we saw being introduced that will change—it will affect virtually everyone in this province in a very major way. That was introduced, Mr Speaker.

**The Deputy Speaker:** Thank you. You'll be able to continue when next we discuss this matter.

**Hon Mr Eves:** Mr Speaker, I have a motion with respect to the standing committee on resources development that has been agreed to by all three House leaders

in terms of its sitting times for next week. If it's the pleasure of the House, could I have permission to revert to motions, please?

**The Deputy Speaker:** Do I have consent? Agreed.

#### MOTIONS

##### COMMITTEE SITTINGS

**Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader):** I move that notwithstanding any standing order or special order of the House, in addition to its regular meeting times the standing committee on resources development be authorized to meet from 9 am to 12:30 pm and in the evening until 11 pm on Monday, December 4, 1995, and from 9 am to 12:30 pm and in the evening until 9 pm on Wednesday, December 6, 1995, to consider Bill 15, An Act to amend the Workers' Compensation Act and the Occupational Health and Safety Act.

**The Deputy Speaker (Mr Bert Johnson):** Does the motion carry? I declare it carried.

##### BUSINESS OF THE HOUSE

**Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader):** Mr Speaker, if it would please the House, I have the weekly business sheet. Pursuant to standing order 55, I wish to indicate the business of the House for the week of December 4, 1995.

On Monday, December 4, we will continue with the replies to the economic statement and the debate on the economic statement, going in rotation, as we agreed earlier this afternoon, after the two replies are concluded.

On Tuesday, December 5, we will start second reading of Bill 26, the Savings and Restructuring Act. We will continue with second reading of Bill 26 on Wednesday, December 6, and Thursday, December 7.

For Thursday morning's private members' business, we will consider ballot item number 11, standing in the name of the member for Hamilton East, and ballot item number 12, standing in the name of the member for Cochrane North.

**The Deputy Speaker (Mr Bert Johnson):** It being 6 o'clock, this House stands adjourned until 1:30 o'clock on Monday, December 4.

*The House adjourned at 1801.*

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of Ontario**

First Session, 36th Parliament

**Assemblée législative  
de l'Ontario**

Première session, 36<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Monday 4 December 1995**

**Lundi 4 décembre 1995**

Speaker  
Honourable Allan K. McLean

Président  
L'honorable Allan K. McLean

Clerk  
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# LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 4 December 1995

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 4 décembre 1995

*The House met at 1332.*

*Prayers.*

## MEMBERS' STATEMENTS

### MINISTER OF HEALTH

**Mrs Elinor Caplan (Oriole):** As Jim Wilson prepares to give himself sweeping, absolute powers over health care in Ontario, powers which would allow him to singlehandedly close any hospital in the province with the stroke of a pen, without any input whatever, it's only fair that we examine Jim Wilson's record to see if he can be entrusted with this enormous and absolute power.

Did Jim Wilson have the strength to remind Mike Harris of the Conservatives' promise not to cut a single penny from health care? No. Did Jim Wilson have the courage to tell Mike Harris that a further \$1.3 billion in health cuts will jeopardize lives? No. Did Jim Wilson have the influence in cabinet to stop the \$225 million in new user fees that seniors and the poor will be forced to pay when they get sick? No. Did Jim Wilson have the character to explain to Mike Harris that promises should be kept, not broken at the first opportunity? No.

Should Jim Wilson or any individual get the unprecedented new powers to singlehandedly, with the stroke of a pen, without any public input whatsoever, close down a hospital or an independent health facility? No. Not only should no one ever have that power, but based on his actions to date, Jim Wilson, Mike Harris's health care hatchet man, is absolutely the last person who should be given absolute power.

### COMMON SENSE REVOLUTION

**Mr Tony Martin (Sault Ste Marie):** I was in Kitchener-Waterloo on Friday meeting with some ordinary folks—you know, the type who live and work in communities across this wonderful province. I met with the type of people who pay rent or hold mortgages, buy groceries and clothes and invest in a car, the men and women of Ontario who keep the economy going. And do you know what they're telling me?

They said this government does not know what it's doing. This government has no idea of the impact of the decisions it has made and will make on people and communities like Kitchener-Waterloo. The Common Sense Revolution makes no sense to them. It was and is not well-thought-out. They are feeling at first hand the sad truth that it was nothing more than an election gimmick.

In July they took away the money out of the pockets of the poor, last Wednesday they took away their services, and soon you will lay off the people who service and support them. At first it was the poor. Now it is the lower middle class and seniors. Soon it will be everybody.

The Common Sense Revolution is an unmitigated disaster, and the omnibus bill that was delivered to us here last week is a serious abuse of power.

### CONTROL OF SMOKING

**Mr Toni Skarica (Wentworth North):** I rise today to mark the first anniversary of the proclamation of the Tobacco Control Act and to congratulate all school boards across Ontario for their effective implementation of the legislation banning smoking on school property.

Smoking is the most important cause of preventable illness, disability and premature death in Canada. Each year more than 13,000 Ontarians die from tobacco use.

In our schools, we educate our youth about the dangers of smoking. By banning smoking on school property, the Tobacco Control Act ensures we are sending a consistent and unequivocal message: Smoking is an addiction that kills and it will not be tolerated at school.

If an individual reaches the age of 19 and he or she is still a non-smoker, it is very unlikely that individual will ever start to smoke. By banning smoking at school, we are helping our youth get to 19 smoke-free.

We still face a considerable challenge. Smoking rates are going up in our youth, most notably among females aged 12 to 18. We need to seize every opportunity we can to reinforce the message to youth: Don't start smoking, and if you do smoke, quit.

The school boards of this province have accepted this challenge and are making a difference in the fight against cancer. As parliamentary assistant for Education and Training and as a parent, I congratulate them.

### OMNIBUS LEGISLATION

**Mr Richard Patten (Ottawa Centre):** My speech today is dedicated to the Tory backbenchers. Determined to emphasize their view of the Tory reign as a full-fledged revolution, members of the Mike Harris government acted like true revolutionaries last Wednesday and staged a coup d'état on the notions of responsible government and, indeed, participatory democracy.

Bill 26, which was introduced into the Legislature under a cloak of secrecy, sneakily, is all about taking power out of the hands of our communities, established organizations and cherished institutions and placing that power in the hands of a select few in the Tory cabinet.

But Bill 26 goes further than that. It takes power out of the hands of our elected officials, and by doing so it renders the voice of the public powerless.

With its majority, the Tory government will ultimately be able to pass Bill 26, but one has to wonder whether the majority of the Tory members have themselves considered the extent to which this bill renders them mere decorations and powerless instruments of an agenda



driven by two individuals, Eves and Harris, as opposed to representatives of their constituents serving to promote and to defend the interests of the electorate.

I ask the Tory backbenchers if they would think about that, that they indeed will have far less power under this kind of a move to introduce Bill 26.

#### COMMON SENSE REVOLUTION

**Mr Tony Silipo (Dovercourt):** On Friday of last week I was in Ottawa, and I met with a number of people who talked to me about what the Harris revolution means for them.

I heard such things as students in elementary schools being asked to pay a \$40 fee for classroom supplies. I heard about people losing their day care spaces and as a result having to give up some of their jobs. I heard about women who had been victims of abuse, as a result of the social services cuts not being able to afford a telephone line any more, and as a result of that therefore being even more isolated and more prone to abuse than they were before.

I heard story after story about the kinds of impacts, the kinds of effects that this Harris government is having on ordinary people right across this province, and certainly in the Ottawa-Carleton area, and when I talked to them about the focus this government is putting on the tax cuts, they could not understand the logic. They could not understand why a government, why this Harris government, is so intent, for the sake of providing tax cuts to the wealthiest citizens in this province, to forsake some of the many basic services we've built up in this province over decades.

They said to me quite clearly that the Common Sense Revolution makes no sense to them, that this government has gone too far too fast, and that it is not doing the thing that is needed for the people of this province.

1340

#### ROBERTSON DAVIES

**Mr David Tilson (Dufferin-Peel):** This weekend one of the finest writers Canada has ever known, Robertson Davies, passed away. Undoubtedly we have lost a literary figure who has no equal. Since Robertson Davies first made his mark on Canadian letters more than 50 years ago, his pen has defined this country and its citizens with clarity, endless imagination and undeniable love. Robertson Davies will be remembered for his vast contribution to the Canadian arts as an actor, playwright and of course as an author.

Born in Thamesville, Professor Davies excelled in a number of careers including editor and publisher of the Kingston Whig-Standard and occasional actor before accepting the position of master to Massey College at the University of Toronto. His books were recognized with a Nobel Prize nomination, the Stephen Leacock Award for Humour and a Governor General's Award for fiction.

Yet none of these formal tributes can capture the greatness and humanity of the man. I know many people waited anxiously for Robertson Davies's next novel to take them on a new adventure, to a new wonder.

On behalf of the government, I would like to offer my condolences to Robertson Davies's wife and family. His

family has lost a husband, a father and a grandfather. All of Canada has lost a statesman and scholar.

#### OMNIBUS LEGISLATION

**Mr Mike Colle (Oakwood):** Never before has this Legislature seen a government so arrogant. Never before has this Legislature seen a government so dictatorial. Never before has this Legislature seen a government break major election promises so quickly. And never before has a government been so thirsty for unilateral, dictatorial power that it has locked out the public and the elected members of this Legislature from debating such an important bill.

Bill 26 gives the Minister of Health dictatorial power to close down any hospital in this province with the stroke of his pen. Bill 26 gives the Minister of Health dictatorial power to close down any hospital without public consultation. Bill 26 gives the cabinet the dictatorial power to ignore their backbenchers, ignore the opposition and ignore the public.

Bill 26 is a disgrace. Bill 26 is a plan to end democracy in Ontario as we know it. Governors in the United States don't have the powers Mike Harris will get as a result of this bill.

There is a role for the Legislature. There is a role for backbenchers. There is a role for the opposition. And I hope there still is a role for the public in this Legislature.

#### COMMON SENSE REVOLUTION

**Mr Gilles Bisson (Cochrane South):** This last weekend, like most members here, I had an opportunity to go back home to my riding and to speak to many, many people throughout the riding of Cochrane South, from Timmins to Iroquois Falls to Matheson. One thing that everybody was in agreement on was that we had to do something in order to try to deal with this government—people back in Cochrane South by droves, I would say; in fact, I have never seen in my history, in my time as a member, people so opposed to what a government is doing.

People are concerned, first of all, that this government is trying to stifle the role of the opposition, and second of all, more importantly, is trying to stifle the role of the general public in regard to being able to exercise its right through democratic processes.

I have to say that the people of Cochrane South are no different than anybody else when it comes to how they look at this government, and they say to this government, "We understand that you have the right to govern, but we also understand that you have a responsibility to be able to govern for the people of Ontario through a democratic process, and the people of Cochrane South would like to see a return to democracy in the province of Ontario instead of seeing the Mike Harris dictatorship that is now unfolding."

One of the things I would also like to point out is that the cuts that are happening throughout this province are yet to be felt in full force. But I can tell you that in the community of Matheson, I was shocked to hear that the only government office in the municipality of Matheson, being the Ag and Food office, was being closed down—one person, one office that services a huge geographic

area was being shut down. I ask what the common sense is in doing such a stupid move. Quite frankly, I wish this government would wake up and smell the coffee.

**Mr David Tilson (Dufferin-Peel):** In response to some of the comments that were made today, I'd like to summarize an editorial that was given by the Toronto Sun over this past weekend.

"Premier Mike Harris and the Conservatives didn't win the last Ontario election in a sneak attack...they won it by advocating a program of spending restraint and tax cuts that they released to the public more than a year before the election—a program that was widely ridiculed by the Liberals and the NDP before they stole most of what was in it....

"It used to be that politicians in Ontario got into trouble for saying one thing in the election and then doing another when in office.

"Now they get yelled at for doing what they said they would do.

"Sure you can quibble over details—whether the \$1.3 billion in cuts to health care announced in their economic statement last week constitutes a breaking of the Tory promise not to cut 'a penny' of health care funding.

"But the reality is that as long as the Tories maintain overall health funding at \$17.4 billion annually, they will have kept their pledge.

"The fact remains that in their first five months in office, the Tories have fulfilled more key election promises than the previous NDP government did in five years. And it's clear the name-calling isn't having any effect on the two men at the centre of the storm....

"It's clear the name-calling by the opposition and some media haven't fazed" the Premier of this province.

"Bottom line? This leader's not for turning.

"And instead of calling him names, Bob Rae and Lyn McLeod ought to reflect on the fact that if they had believed in their own programs"—

**The Speaker (Hon Allan K. McLean):** Order.

VISITOR

**The Speaker (Hon Allan K. McLean):** If I could have members' attention, I'd like to introduce a former member in the gallery today, Mr Ross McClellan from Bellwoods.

#### STATEMENTS BY THE MINISTRY AND RESPONSES

##### EMERGENCY SERVICES

**Hon Jim Wilson (Minister of Health):** As part of our government's commitment to meeting the medical needs of northern and rural communities throughout Ontario, I'm announcing today an initiative to ensure access to emergency physician services 24 hours a day.

To meet this commitment, we are reinvesting savings achieved through efficiencies to this crucial front-line service. This annual funding will ensure that physicians working in these communities are paid \$70 an hour for working nights, weekends and holidays in hospital emergency departments.

We've been listening to local communities, local hospitals, physicians and the people they serve, and

we've been listening to the Ontario Hospital Association, the Ontario Medical Association and the association representing interns and residents.

Currently, a growing number of physicians in northern and rural communities are working less or not at all during off-hour shifts, leaving patients, hospitals and communities feeling anxious.

People in the community have been feeling more and more uneasy with each passing week, wondering whether emergency medical care will be there for them when they need it.

Hospitals have been scrambling to make sure enough physicians are available for emergency care. This has often meant dipping into their operating budgets to top up pay for physicians—money that is urgently needed for other services in the hospital.

*Interjection.*

**The Speaker (Hon Allan K. McLean):** Order, the member for Hamilton East.

**Hon Mr Wilson:** Or hospitals are limiting the hours the emergency department is open.

The reason for this uncertainty is simple: The fee-for-service system does not adequately ensure that emergency health services are available for communities.

Beginning in mid-January, communities such as Alliston, Bancroft, Exeter, Haliburton, Marathon and Southampton, to name just a few, will be assured of having emergency medical services 24 hours a day.

As promised, our government is committed to all communities, large or small, having access to the medical care they need. I'm pleased to be reinvesting savings found through efficiencies to improve access to emergency services.

**Mr Peter Kormos (Welland-Thorold):** Another promise.

**The Speaker:** The member for Welland-Thorold is out of order.

1350

**Hon Mr Wilson:** The dollars we have invested today will help ensure that 67 Ontario communities have adequate access to emergency physician services. The \$70-an-hour fee is based on a recommendation made by Graham Scott in his report on the medical coverage of small-hospital emergency departments.

This represents a significant reinvestment of health care dollars. We're making sure precious health care dollars are going where they are needed most. We will be announcing in the very near future details of further incentives to attract and retain physicians in small and rural communities.

We want to work with physicians to develop these incentives. The way to accomplish this is through real discussion, not media ad campaigns that only serve to create unnecessary fear.

We are also taking steps to increase the availability of alternative funding arrangements in order to improve distribution of physicians, control costs and improve access to medical services across the province, and we are continuing to support the development of decentra-



lized medical education programs and professional supports for rural practice such as locums and continuing medical education. What will evolve will be one of the most generous packages of financial incentives and training initiatives in this province's history.

We are ensuring, as a government, that the people in northern and rural communities have access to emergency medical services that they pay for through their taxes, and that those services are there when they need them. This government is moving on commitments we made in the campaign and we're very proud of this reinvestment.

**Mrs Elinor Caplan (Oriole):** This is a statement which is long overdue. The minister knows that the Scott task force report was delivered to the ministry in March 1995. It was there when he arrived in June 1995. He could have made this statement in July, in August, in September, in October or in November. Deliberately, in my view, he waited until December, until after the tabling of the most anti-democratic, dictatorial and absolute powers of Bill 26. He did this, in my view, to try and deflect criticism from this bill.

I can tell you, notwithstanding the fact that the people of small communities who depend on those emergency services will be pleased to hear that the minister has finally gotten around to doing something that he could have done within the first days in office, the fact that it has taken him this long is something they are very angry and frustrated about.

However, I can tell you that at the Ontario Hospital Association conference, the minister proudly said to them that he had found the money. What he didn't tell them was that he was going to be cutting hospital budgets by \$1.3 billion. He neglected to tell them that. He neglected to tell them that he was giving himself the absolute powers in Bill 26 to close their hospitals, to order hospital boards to do whatever he says they should do. That he neglected to tell them. But he did mention that he would be moving to implement the Scott task force report.

This Scott task force report will, when implemented—and I hope the minister is committed to implementing it immediately—stop the kind of tragedies we saw in Alliston and the recent inquest as a result of that. It will stop the fact that people in small communities have been without access to emergency services when they need them.

One of the things we all realize—that is, the Liberal caucus and myself as a former Health minister—is that probably the most important service to anyone in this province is access to emergency services when they need them. The fact that the minister allowed this situation to go on for almost six months after he arrived in the office is nothing short of criminal.

He said with a straight face that he was listening to the OHA and the OMA and to the interns and residents represented by PAIRO. I say he said it with a straight face, but certainly he should have been blushing, because while everyone is pleased to see this plan implemented, he certainly has not been listening to the Ontario Medical Association, the Ontario Hospital Association or PAIRO, the interns and residents. In fact, my understanding is that

not only is he not listening but he is shutting them out, and Bill 26 proves that.

One of the things he is doing is suggesting that he wants to work with physicians and others to develop incentive programs and to have real discussions, not media ad campaigns. Yet I know that on day one of negotiations with the Ontario Medical Association, he directed his negotiators to inform them that he was not interested in negotiating, that in fact he was not interested in a solution and that he intended to bring in this bill with all of its powers—on day one.

This bill is not only unprecedented in its power, but it is absolute. Bill 26 gives the minister absolute power to tell pharmacists what he will pay them, tell doctors what they will receive from him, where they can practise, where they can have access to hospitals. It says to independent health facilities not only what they can deliver but what they will no longer be able to deliver. It says that nobody will be able to take him to court if they disagree with any of his decisions. It says what drugs will be put on the formulary and what drugs will arbitrarily be left off the formulary.

The implications of this bill are so sweeping and absolute, I would say to the members of the Conservative back bench, that today's important statement about emergency services, which could have been delivered months ago by your government, is merely a sham to cover the absolute and draconian powers of this bill. Don't let him get away with it, because you know that absolute powers corrupt absolutely.

**Mr Bob Rae (York South):** I'm sure a number of communities will welcome this announcement. Since we appointed Mr Scott as the person responsible for bringing forward a report, which he did, a very constructive report, I think it would be a little odd were I to turn around today and denounce the minister for having implemented part of the report which our government commissioned. As odd as my statements are from time to time, I've no intention of doing that.

However, I would simply say this to the minister: If he would perhaps reflect a little on the experience he's about to go through in terms of his dealings with the medical association and with other representatives of doctors, I think he's making a mistake if he thinks this further unilateral step on his part, outside the context of the negotiations with the OMA, is going to do any particular good in that regard.

When I hear on a day-to-day basis from the minister in terms of the announcements that are being made, we're certainly never entirely clear which particular part of the agenda is being pursued. I welcome this particular announcement; I think it makes sense. We clearly had and have a problem with respect to the provision of emergency services in a number of rural communities, and that's precisely why we asked Mr Scott to sit down and help us try to find a solution to the problem.

But my sense, in the briefings I had and my discussions with the deputy minister and others during that period, was that this was part of an ongoing, difficult transition in the relationship between the government and the medical association; that it was not always wise to try

to solve these on a one-off basis and that what one should be striving for is an overall agreement with the medical association and with interns and residents in which one would try to see that some things can be done in a positive direction, and at the same time that certain concessions have to be worked out on the other side.

My observation—and I know the minister will not agree with it—would be that what he is doing is proceeding in two unilateral ways. Unilaterally, he's making this announcement. On the other hand, as my colleague the member for Oriole has pointed out, unilaterally he's also proceeding with Bill 26. Then at the same time he's doing what all people in government do, and that is to complain when the OMA takes out ads denouncing the course the government is set to take.

1400

My observation would be that the government is going to have a very hard time getting out from the implications of Bill 26 in its discussions with the doctors. It may well be that it will have this in its armoury as it heads into discussions with the doctors, but the simple fact is that this legislation amounts to the greatest potential unilateral power being granted to a Minister of Health that we've ever seen in the province. No other minister has ever attempted to exercise such unilateral power in the system. No Minister of Health in the history of medicare has ever sought to create this kind of regime.

As a result of this, we'll be the only province that has no effective regulatory structure for drug prices. We'll be the only province in which the Minister of Health has as much unilateral power as is now being granted to this particular minister. I know of no parallel in any jurisdiction since the introduction of medicare in which would be granted to the Minister of Health alone, one individual alone, the power to make the kinds of decisions that he is accruing to himself.

I say to my colleagues, who are all of us here as private members, that you will have no more power than I will in influencing the Minister of Health with respect to this decision. I say to my colleague from St Andrew-St Patrick, who has been such an advocate on behalf of Women's College Hospital, that she's going to have as little influence as the rest of us, because one person alone is going to be able to make that decision.

There will be no review process. There will be no discussion process. There will be no way in which this can be changed. A decision will be done and will be made by one person and one person alone. This is the first time in the history of the province that the Minister of Health unilaterally can determine which hospitals will receive funding, which hospitals will not, which boards can be suspended, which boards can sit, and what is going to be done with the funds that have been amassed in every institution in this province on a not-for-profit basis.

It is unprecedented, and it cannot be permitted to proceed in the way in which it has been proposed by the government.

**The Speaker (Hon Allan K. McLean):** The leader of the third party has asked for unanimous consent to make a statement with regard to Mr Givens. Agreed? Agreed.

PHIL GIVENS

**Mr Bob Rae (York South):** Yesterday, the Attorney General and the member for Wilson Heights and I attended the funeral services for a former member of this House, Mr Phil Givens. I know that each of us wanted to say a word today in memory of Mr Givens.

Phil was an outstanding citizen of this province and an outstanding citizen of Canada. He was born on Augusta Avenue. He felt the pulse of the city of Toronto every day. He knew this city better than almost any one of us. He cared very deeply about the city. He cared very deeply about this province, about Canada. And as we heard yesterday, he was a lifelong Zionist and someone who cared greatly about the fate of the State of Israel, about its success and about its challenges, and was a constant advocate on its behalf.

When I first came to Toronto to live, Phil Givens was the mayor. As a young student, to go down to city hall, as I used to do from time to time, and watch the debate, the great debate at that time was over whether there should be public funding for a statue which we all know as the Archer. The mayor was an indefatigable advocate on behalf of the arts. Yet when he suffered a defeat in the resolution, he immediately turned around and raised private funds to ensure that the statue was standing.

He went on to lose the next election to Mr Dennison, another very distinguished citizen of the province, but Phil was not set back by that defeat. He went on to serve in the House of Commons. He was elected as a member of this Legislature in 1971, where he served until 1977. He was a very effective member of the opposition. He was an extraordinarily eloquent speaker. He was a very lively mind, and he was a going concern for I would think at least 20 hours a day. He was a man of remarkable energy and remarkable talents.

He then went on to become the chairman of the police board at the time; we saw a sign of the affection of many members of the Toronto police yesterday, in the numbers of them who came to the funeral. He then went on to become a very active member of the Zionist Federation, of which he was president, and continued to be an advocate on behalf of the community.

Phil Givens gave me the best advice I've ever received from another politician, and perhaps the best observation on our political fates, when he said to me, quite recently, actually, "In politics you don't always get what you deserve, but you always get what's coming to you." I have remembered these words on many different occasions and I would share them with other members of the House, because I can assure you that as secure as you may feel in your current positions, this is not a security which always lasts. Mr Givens's observation on the way these things change and move is perhaps worth reflecting on.

On behalf of our party, I would like to extend our condolences to members of Phil's family: his wife, Min, his children and his grandchildren. He was a lively, friendly, remarkably intelligent, sparkling presence in our political lives and in our personal lives for many, many years, and I'm sure all of us would want to pass on our best wishes to his family.



**Hon Charles Harnick (Attorney General, minister responsible for native affairs):** I too, on behalf of the government and on behalf of my party, wish to say a few words about the late Phil Givens.

As I was a young boy during the period when he was mayor, I came to realize that the city of Toronto, when Phil Givens became the mayor, became a place to be reckoned with on the world map. Phil Givens made this city a recognizable urban metropolis around the world and it was because of the nature and style and personality of this very man.

Mr Givens was a lawyer, he was an alderman, he was a councillor, he was chairman of the Metropolitan Toronto Police Commission, he was the mayor, he was a member of Parliament, he was a member of the provincial Parliament, and he was a great Zionist. He was recognized in each of these positions as a leader, as a person who would be a dominant force in every endeavour he was ever involved in.

It was interesting that at his funeral yesterday the coffin was draped in both the flag of Canada and the Israeli flag, a testimony to a man who touched people in so many places and in so many ways.

I can personally say that Phil Givens followed in a great tradition. He followed in a tradition set by the late Senator David Croll and by the late Allan Grossman, who was no stranger to this place. Phil Givens was yet another person in that line who in many respects made it possible for people like me and people like Mr Kwinter to be able to serve in public life. Phil Givens, to a very large extent, made that possible.

I was struck yesterday while at his funeral by the number of people who were there. There were a number of politicians past and present. There were a number of members from the police force, both past and present. But the vast majority of people who were there were constituents, ordinary people who depended on Phil Givens, whom Phil Givens represented during his years of service to this community and who were there quite simply because of their love for this man.

It was quite evident yesterday that Phil Givens touched the lives of everyone who came to pay their respects to him. I would like to convey personally and on behalf of the government and on behalf of our party my sincere condolences to his wife, Min, to his children and to his grandchildren, and also to his many, many friends who mourn the loss of a very close friend.

1410

**Mr Monte Kwinter (Wilson Heights):** I too would like to pay tribute to Phil Givens, a friend, a mentor, a confidant, a colleague, a sailing buddy and a good friend of the family. Our lives were intertwined for about 40 years. One of his great passions was B'nai Brith.

It seemed that my lot in life was to follow in the various offices that he held several years behind him, but my steps really mirrored his steps. When I first considered running for this place, obviously I turned to the consummate politician Phil Givens to ask his advice and his counsel. He never, ever missed talking to me about what was happening in the political scene.

Phil's greatest recognition probably is his connection with the Archer, the piece of sculpture that graces the square in front of city hall. But what most people don't know is, it wasn't just that he went out and raised privately \$100,000 for that Archer, but because of his passion, because of what he felt about culture and the idea that that should be there, Henry Moore made the largest contribution of his works to the Art Gallery of Ontario, and we, the citizens of Ontario, have been the beneficiaries of that collection, and to a large amount it is due to Phil Givens.

Again, as both our careers progressed, he found himself as the chairman of the police commission, I found myself as the chairman of the harbour commission. One of the great areas of, I would say, discontent is the fact that I had responsibility for two police forces on the waterfront and he of course had responsibility for the Metro police force. There was duplication. We certainly all, as politicians, know that there are concerns about duplication, but it couldn't be resolved.

Phil and I had belonged to the same yacht club for 25 years. I've seen his children grow. We have sailed together. We've spent countless hours together. One night he said, "Monte, let's get this thing resolved. Let's merge all of these things," and we were fortunate in that we had another friend in the person of Paul Godfrey, who was chairman of Metro, and between the three of us we did something that had defied politicians for 25 years. Today, we have a unified police force on the waterfront to the betterment of the sailors who are in the harbour and to the safety of people who use that facility. I think, again, it is a tribute to Phil Givens.

There are circumstances that happen, acts of fate. Last Thursday night, the member for Renfrew North and I happened to be in my riding; we had dinner. He said: "This is Phil Givens's old territory. How is old Phil?" I said: "Well, you know, he's not well, but he's not really that sick either. He's got some problems with his legs, he's walking with canes, but he's still the same Phil Givens: witty, sharp, interested." Little did we know that at the precise moment that we were talking, he was dying.

The member for Renfrew North told me stories about when Phil was in the north wing and the things that they were doing, and Friday morning, when I read in the paper that he had died, I called his wife to offer my condolences and recounted some of the stories. She chuckled and said, "You know, Monte, I'd forgotten those things." I said, "It was eerie, because I hadn't talked to the member about Phil Givens ever," but there on that night as he was dying, we, in a different location, were talking about him.

I think that it's important that we recognize that he was unique. He was an eloquent speaker. He won the gold medal at Osgoode for his oratory. He was not only the mayor, he was a school trustee, he was an alderman, he was a controller, he was the mayor, he was the MP, the MPP, he was the chairman of the police commission and he was a provincial judge. The man—and it has been said of him—was a man for all seasons and a man for all reasons.

I want, on behalf of my caucus, to extend to his wife, Min, his children, Michael and Eleanor, and their grandchildren, our condolences and the condolences of all of us.

**The Speaker (Hon Allan K. McLean):** I want to thank all honourable members for their kind remarks with regard to the Givenses, and I will see that a copy of Hansard is sent to his wife and his family.

#### MEMBER'S COMMENTS

**The Speaker (Hon Allan K. McLean):** I want to bring to the attention of the House that the leader of the official opposition has returned to the House. She left the other day and I did not have the opportunity to have her named. I would ask the honourable member today if she would withdraw the remarks that she made.

**Mrs Lyn McLeod (Leader of the Opposition):** Mr Speaker, I've come into the House today certainly prepared to participate. I want to be able to challenge this government very directly on what it's doing.

**The Speaker:** Would the member withdraw the remarks that she made last Thursday.

**Mrs McLeod:** Mr Speaker, I think I made it very clear on Thursday, voluntarily, that I believe that what I said on—

**The Speaker:** Will you withdraw your remarks?

**Mrs McLeod:** I said no, I cannot.

**The Speaker:** I have no alternative but to name the honourable member.

**Mrs McLeod:** Are you asking me again to leave the House?

**The Speaker:** I'm naming the honourable member.

**Mrs McLeod:** And are you therefore asking me to withdraw from the House again?

**The Speaker:** I'm asking you to withdraw the remarks that you made last Thursday.

**Mrs McLeod:** Mr Speaker, I've made it clear I cannot withdraw the remarks that I made.

**The Speaker:** Okay. I have to name the honourable member and ask the Sergeant at Arms if he could remove her.

**Mrs McLeod:** I will again leave, Mr Speaker, but Mike, let me tell you—

**The Speaker:** No. You have been named.

**Mrs McLeod:** —you are not going to get away with this.

*Mrs McLeod was escorted from the chamber.*

#### ORAL QUESTIONS

##### HEALTH CARE FUNDING

**Mr Gerry Phillips (Scarborough-Agincourt):** My question is to the Premier. It's a question that my leader would have liked to ask. She's not here because she said something that many of us believe, and that is, that in the campaign you couldn't have been clearer, Premier: You promised the people of Ontario that you would not touch a penny of health care spending. You didn't say that you would restore it in four years. You didn't say, "We will cut it and then bring it back." You said, "We will not touch a penny of health care spending." That reassured

many of the people in this province; not one cent you would touch.

Now we find, in your statement last Wednesday, that you have cut \$500 million of health care next fiscal year and \$1.5 billion over the next three years.

This is a question of your personal integrity. Will you now at least acknowledge the truth, that during the campaign you said you would not touch a penny, and now you have cut \$500 million next year and \$1.5 billion? Will you personally, because it's your credibility, tell the people of Ontario when you were telling the truth?

**The Speaker (Hon Allan K. McLean):** The question has been asked.

**Hon Michael D. Harris (Premier):** I think the Minister of Health should respond.

*Interjections.*

**The Speaker:** Order.

**Mr Frank Miclash (Kenora):** You said it, not him.

**The Speaker:** The member for Kenora is totally out of order.

*Interjection.*

**The Speaker:** The member for St Catharines, order.

**Hon Jim Wilson (Minister of Health):** Unlike previous governments—

*Interjections.*

**The Speaker:** Order. This is question and answer period. I would ask all honourable members to obey the rules of the House. I'd ask members to obey the rules of the Legislature.

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**Hon Mr Wilson:** Unlike other governments that often made announcements about savings they were going to find in the system, whether it was health care or education or transportation or some other system, and they would then announce the same day multimillion-dollar programs of new spending in the hope that they would find the money in the future—

*Interjections.*

**The Speaker:** Order. Order.

**Hon Mr Wilson:** What we found is a history and a litany in this province that the multimillion-dollar programs get up and running, but the savings never get found to pay for those programs, and therefore we end up with \$10-billion deficits year over year, \$100 billion worth of debt—

**The Speaker:** The question has been answered.

*Interjections.*

**The Speaker:** Order. If you want to have question period, fine; if you don't, then I will just recess the House. It'll be your choice.

*Interjections.*

**The Speaker:** Order. Supplementary.

**Mr Phillips:** This is the document that the people of Ontario bought. This is the picture of the Premier on it. The commitment could not have been clearer. It was very, very specific. It wasn't, "We are going to cut spending now and bring it back up." It was that you would not touch a penny of health care spending, and I



repeat: The people of the province took you at your word—at your word, Premier—and now we find in the announcement last week—it also couldn't have been clearer—you are cutting spending and that spending is going to fund your tax break. It isn't going to be reinvested in health care.

The Premier shakes his head, but he's afraid to answer the question. He's afraid to answer the question. Last week we were told that that money was going to reduce the deficit—that's where it was going—and to fund the tax break, not to be reinvested in health care.

Will you confirm—and I would prefer the Premier; you can refer this back to the Premier—that those health care funding cuts you announced last week are going to fund your tax break?

**Hon Mr Wilson:** I'd be happy to reaffirm, to affirm what the Premier and I and all members of this government have been saying all the way along, and that is, we would identify the savings—and we've done that—over the three years that the money will be taken out of the operating side of the hospital budget. You will see those reinvestment announcements.

It is not only unfair but it is ridiculous for the opposition right now to say that we're not going to reinvest that money in health care when today we made another significant announcement with respect to emergency on-call services, physician services, badly needed in some 67 communities. We're investing that money as part of our reinvestment strategy, and that's before—that is months before—we've seen any of the savings that were announced by the Treasurer last Wednesday. So we're already ahead on our reinvestment strategy, and I hope the opposition will recognize that.

**Mr Phillips:** The fact is that we no longer trust you. That is the fact. You are planning, by your own admission, massive cuts to the hospitals. You've cut funding to the hospitals by 20%. You are planning massive cuts to the hospitals. There's no question about that. The only way you can do that is with this bill.

I would say to the people of Ontario, pay attention to this, because one of the things this bill includes is it gives the minister the unilateral right, the minister alone, to close hospitals, and it gives the minister the unilateral right to tell every hospital in this province whether they stay open, whether they close, and more, whatever services they offer are under the direct control of the minister.

Why is this being forced through in two weeks with virtually no debate? I will tell you the reason why: Because you are imposing massive cuts on the health care system, massive cuts to the hospital section, and you want that done in two weeks so you can have those powers.

My question is this: Will you today acknowledge that the reason your government is forcing this bill through, with many sweeping powers, is so you will have the unilateral right to decide which hospitals in this province are closed, which hospitals are open and the services that are determined in those hospitals? Will you acknowledge that?

**Hon Mr Wilson:** Good management dictates that we make the reinvestment announcements in health care as we can realistically expect that the savings in other parts of the health care portfolio, that those savings are—

*Interjection.*

**The Speaker:** The member for Hamilton East is out of order.

**Hon Mr Wilson:** So I repeat. Unlike other governments that made the multimillion-dollar announcements on day one, didn't actually achieve the savings and ended up driving the whole system into debt, we're taking a good management approach.

Secondly, with respect to the legislation and the member's question, I made it clear last Thursday, we will continue to make it clear that, as a matter of policy, the Minister of Health will not exercise the powers contained in that legislation, that those powers are there as an amendment to the Public Hospitals Act, and those powers will be delegated to the Health Services Restructuring Commission, as we were asked to do by the Metropolitan Toronto District Health Council's restructuring study. It recommends very clearly that we set up a commission, that we give it this authority, that the authority only be used by the commission as a last resort, that restructurings continue to be done at the local level by volunteers, and that there be no political interference.

The Health Services Restructuring Commission will ensure that we take the politics out of restructuring the hospital system so that we can finally get it done when it should have been done 10 years ago and other political parties in this place didn't have the courage to do it right.

#### OMNIBUS LEGISLATION

**Mr James J. Bradley (St Catharines):** My question is for the Deputy Premier who is also the government House leader. On Wednesday of last week, when most of the news media and members of this Legislature were in the lockup for the budget across the street, your government introduced a massive budget bill which amends some 43 acts, which repeals two acts and which creates three new acts, a bill which gives the Minister of Health the absolute power to close hospitals and to run any hospital he wishes as he chooses, that allows him to impose user fees on the people of Ontario, that allows him to tell doctors when, where and how they will practise in this province, a bill which gives your cabinet and unelected advisers sweeping powers in a large number of important areas.

You determined to pass this huge bill, quite obviously, with just a few days of debate, allowing no public hearings, very little analysis and discussion, and in the end turning over full authority to the cabinet at the expense of the democratic process.

Mr Minister, in view of your statement on the weekend, your admission that, "There have been some individual circumstances that probably we didn't think all the way through, if you want me to be frank," why are you so determined to ram this massive bill through the Legislature before Christmas, when members of the opposition are prepared to sit in January, February and March to deal with the several bills which are encompassed within this massive budget?

**Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader):** The honourable member knows full well that there are some severe expenditure problems in the province of Ontario. He will also be aware of the fact that many of our transfer partners have asked for tools to enable them to deal with a lot of these expenditure problems. He will also know that there are certain actions that must be taken by the government to be able to implement some of the expenditure savings and reductions that we have outlined. We are committed to putting those tools into place and to following through with the measures we need to effect those expenditure reductions.

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**Mr Bradley:** When I spoke to people, a good cross-section of people on the weekend, they all said, except those who are the real adherents—most independent-minded people, many who had voted Tory, said, “Your government has made a big mistake when you’re trying to ram through this massive bill.”

We, the elected members, are the only people the voters of this province can get at directly, the only people they can influence. Why are you so determined to take away from the elected members of all parties in this House the jurisdiction and power that they have to deal with policy and legislation and turn it over to the few advisers, the unelected advisers, you have and to the cabinet? Why are you prepared to circumvent the democratic process and concentrate power in the hands of a few?

**Hon Mr Eves:** The honourable member will know that this is not the first time a government has introduced an omnibus bill in the Legislature. He will also know that this is not nearly the largest omnibus bill that’s been introduced in the Legislature. As a matter of fact, the previous government had a bill named Bill 175. It amended 139 different statutes. This bill affects 47 statutes, not 139. Bill 175 affected 14 different ministries. The Savings and Restructuring Act affects nine or 10.

What did the previous government do with respect to omnibus Bill 175? They permitted three days’ second reading debate totalling about seven and a half hours. They time-allocated the bill in committee of the whole to give the Legislature 30 whole minutes to talk about amendments to that bill that amended 139 different statutes, and they gave us about 35 minutes’ debate, I believe, in third reading debate.

The honourable member will know that this is not the only omnibus bill that’s ever been passed, nor is it the largest, nor is it the one that affects the most statutes, but you will be given a lot more time than my predecessors gave to debate those bills.

**Mr Bradley:** Make no mistake about it. This bill is unprecedented. This is a massive budget bill. It does not compare to any other bill that’s been introduced into this Legislature.

Mr Minister, no doubt your unelected political advisers—and you’ve seen them for all parties that have been in power in this province. These are the whiz kids and the political geniuses who sit with smiles on their

faces in the back rooms and give you advice. No doubt those people have told you that you can get away with this, that if only you will tough it out, you can get away with this, because we’re getting near Christmas and people will forget about it and there will be other issues that will arise. I agree with them that you can get away with it, and they will give you and have given you that advice.

But you have a choice, Mr Minister: You can do either what’s expedient, what you can get away with, or you can do what is right. Why don’t you do what’s right? Why don’t you withdraw Bill 26, separate it into several bills, have a full debate on each bill, allow public hearings and follow the democratic and prudent process that you know in your own mind and your own heart is right and just?

**Hon Mr Eves:** The honourable member will know that the province cannot continue to spend \$1 million more an hour than it takes in in revenue. He will know that the spending practices of the previous two governments over the last 10 years have brought us to the position we’re in today.

He will also know that they cannot be corrected without giving our transfer partners and the Ontario government the tools they need to correct the spending practices that now leave the Ontario taxpayer with \$100 billion in debt, spending \$9 billion in interest a year and, most importantly, spending \$1 million more an hour, every hour of every day, 365 days a year, because their massive deficits don’t take a holiday.

#### COMMON SENSE REVOLUTION

**Mr Bob Rae (York South):** A question for the Premier: Premier, the last few days we’ve seen some rather interesting statements being made by a number of your colleagues with respect to the status of the promises that are contained in the notorious document the Common Sense Revolution.

Your colleague sitting next to you said the other day: “There’s no design for the tax cut plan. There’s never been a design for the tax cut plan.” That was on December 2, 1995. In contrast, the Common Sense Revolution is very precise. There’s a plan that’s only too detailed. In fact even the dollar amounts are set out, exactly how much each person will get. People are already banking on those things. You’ve recommitted to them.

Your colleague also said that you raise a good point with respect to the social assistance reductions, I think having watched some of the examples that are raised on a daily basis in the Legislature: “There have been some individual circumstances that probably we didn’t think all the way through.... I think some of those things have to be adjusted.” But you did think them all the way through. With respect to welfare, there’s no ground for complaint on inconsistency. What you did was exactly what you set out to do in the Common Sense Revolution.

How are you going to stop this very dangerous backsliding that we see taking place among some of your colleagues, where the literal truth that surely is contained in the Common Sense Revolution, the fundamental truths that are contained in each sentence in each paragraph, is



now being questioned by the more querulous among your colleagues, including the Deputy Premier? My question to the Premier is this: Which of the promises in the Common Sense Revolution precisely are we supposed to believe?

**Hon Michael D. Harris (Premier):** Let me deal very directly with the question, and if there are specifics by way of supplementary to a minister, I'll be happy to have them answered.

Very directly, the member had asked about the tax reductions. It's very specific in the Common Sense Revolution that, beginning with the 1996-97 budget, we will begin phasing in, over three years, a 30% tax reduction on the Ontario portion of the income tax rates.

Secondly, in the document as well there is a—you could call it different things—some have called it a claw-back, some have called it other things, in the fair share health care levy, to income earners over \$50,000. That's the fair share health care levy, and that's very progressive, as the member will know, and that would reduce the 30% figure for those with \$50,000 a year or more.

I want to say very directly to the member that when the budget comes in in the spring you will clearly see that we have lived up to our commitment in the Common Sense Revolution.

The member also asked about specifics with the reductions that we announced to have our welfare reduced to 10% above the average of the other provinces. We think we have precisely done that, but certainly within that we've been prepared to say that if there is one area here, or if there is something that is affecting the disabled, or if there is another area as a result of that, we'd like to hear about that, and if it requires fine-tuning, we believe we should respond to that. We're happy to do that.

**Mr Rae:** There's a difference between fine-tuning and taking an axe to the piano, and I think that what we're seeing is far more of the latter than anything that would approach fine-tuning. What we're looking at is a Minister of Finance who on one day says that there is no tax cut plan and then you on this day say yes, there is a tax cut plan and it's exactly the plan you set out in the Common Sense Revolution.

We have a Minister of Finance who says, on television on Saturday night, that you've made a mistake with respect to your welfare cuts and things need to be changed and looked at again, and then we have a reiteration of the fundamentalist doctrine by you again, on Monday, saying that you stand by everything that's in the Common Sense Revolution. I think there's a significant problem with respect to your approach.

I'm asking the Premier today if perhaps you can clear up where we see these huge gaps between what you promised to do, what you are now setting out to do and the various statements that are being made by ministers with respect to their own commitments, given the realities they're having to confront. We all know the realities we have to confront. That's why we think the Common Sense Revolution was such a stupid document. But now we're having to confront your having to maintain that promise all the way through.

So I come right back to you: Do you still stand by all the promises you've made in the Common Sense Revolution?

**Hon Mr Harris:** I suppose the voters, according to the member's definition, were stupid in the last election, if that's what you're saying. We put before the people of Ontario a very straightforward, commonsense platform to undo the damage of the last 10 years. This was a document that we put out to the people with regard to the specifics that you've talked about today, with regard to the tax cut and welfare. We were very clear.

*Interjection.*

**The Speaker (Hon Allan K. McLean):** The member for Cochrane South.

**Hon Mr Harris:** We will also be very clear with our warfare proposals to ensure that—

*Interjection.*

**The Speaker:** The member for Cochrane South is out of order.

**Hon Mr Harris:** —people who are capable are given opportunities to work or train and break this cycle of dependency that your failed programs brought forward.

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We've been very up front pre-election, during the election, post-election. We are working tirelessly, very hard day and night, to fix a huge problem that the Treasurer has announced of a million dollars an hour being spent on your programs, more than is coming in, even with all your massive tax increases.

We inherited an economy that used to be one of the best in the world, that had failed after 10 years of your policies, and we are moving quickly to correct those problems and put Ontario (a) back on a sound footing, and (b) give Ontarians today and tomorrow hope and opportunity for the future. That's what we said we'd do; that's what we're doing.

**Mr Rae:** In a debate in this House on November 30, 1993, the Premier said: "I've been calling for a full and open discussion on the issue of user fees. Let's be fair. A copayment is a user fee. Rationing leads to user fees. Parental contribution is a user fee." That was on November 30, 1993.

He then went on and said: "Why do you refuse to allow the taxpayers, the people who pay for it and the people who use our health care system, to participate in a debate over what should be and what should not be paid for by the public purse? Why do you continue to deny that access?"

With respect to health care and the Common Sense Revolution, this Premier promised two things: First of all, "We will not cut health care spending." Those are not my words; those are his words, page 7. "We will not cut health care spending." The other thing he said was, "There will be no user fees," and on November 30, by way of background, he said, "A copayment is a user fee." Those aren't my words; those are his words. Those are the words of the person who's now the Premier.

My question to the Premier would be this: Given the way in which you've twisted and turned on the Common

Sense Revolution, in which you've turned it into a document which is going to become the laughingstock of your party and of your government over the next several years, why are you refusing to allow us to cut up Bill 26, to turn it into a series of measures that can now be turned over to the public for hearings and for discussion, instead of which you're arrogantly trying to take to yourself powers which no other government has had in the history of the province?

**Hon Mr Harris:** Now you want to cut. For the last five years, if you had cut out the ideological nonsense; for the last five years, if you'd had responsible spending; for the last five years, if you had been prepared to cut off those special-interest groups that got special favours and special privileges from the Bob Rae government—the power to the union leaders, the power to the monopolies that you gave to segments in society—if you had been prepared for the last five years to be more responsible, there would be less cutting out of this nonsense that we'd have to do today.

But yes, we must move quickly to stop the nonsense and stop the bleeding, to quickly get Ontario back on a solid footing; yes, although not nearly as quickly as the former government and the member who was Premier at the time of the government, with their draconian omnibus bills, with far less time for debate, amending far more pieces of legislation; yes, had the member shown one single, solitary modicum of common sense for the last five years, our job would be a lot easier today.

You did not, it is not an easy job, and we are asking all Ontarians to continue to help us fix the mess.

#### OMNIBUS LEGISLATION

**Mr Bob Rae (York South):** If a public debate was good enough for the Premier on November 30, 1993, when we didn't introduce user fees, I don't know why a public debate in 1995, when you are introducing user fees—that's exactly what you're doing—it's what you promised you wouldn't do in the Common Sense Revolution, it's what you told the seniors of the province you wouldn't do, it's what you promised disabled people you wouldn't do.

Why wouldn't you now say you will divide up the bill so it's there in presentable packages and you will send it out for hearings so we can have a full public debate, the kind of debate that you called for? Why are you afraid of debate? Why are you afraid of the people? Why won't you let the people have their say with respect to this legislation? Why would you be afraid—

**The Speaker (Hon Allan K. McLean):** Premier.

**Hon Michael D. Harris (Premier):** You know, we consulted with the people for five years. We put a document before the people. The people had their debate. I recall being on television with the other two leaders where we had our debate, and the people decided they wanted a change of direction.

**Mr David S. Cooke (Windsor-Riverside):** You lied to them.

**The Speaker:** Order. The member for Riverdale is out of order.

**Hon Mr Harris:** Clearly, the election was on the basis of the Common Sense Revolution document, which said we're going to balance the books, said in health care we are going to find savings so we can reinvest in priority areas, and this is exactly what we are going to do. I might say to the member that people are responding. We're getting calls from seniors all across the province saying, "Right on."

**Mr Gilles Bisson (Cochrane South):** You're lying, Mike.

**The Speaker:** No, no. The member for Cochrane South, would you withdraw?

**Mr Bisson:** I'll withdraw, Mr Speaker.

**Mr Rae:** The problem is that this government's entire campaign was based on a document called the Common Sense Revolution, in which you said you wouldn't cut health care spending, in which you said you wouldn't bring in user fees and in which you said you had a very specific tax plan.

On Friday we were told by the Treasurer that there is no tax plan. Those are his words, not my words. He said: "There's no clear-cut plan. I have no plan." Then we find out on Wednesday that you are in fact going to cut health care spending by up to 20% in terms of hospitals over three years and that you're planning to bring in new powers, that you're planning to bring in new fees.

It's precisely because there's been such a change, it's because you've departed so dramatically from the truths and the verities of the Common Sense Revolution, that we're now saying to you, why would you be afraid of hearings? I say to the Premier, especially you, why would you be afraid of hearings and why would you be afraid of breaking up the bill when you were the first one over so many times in the past to say: "Let's be fair. A copayment is a user fee.... Parental contribution is a user fee." "I've been calling for a full and an open discussion on the issue of user fees."

If the Premier is so confident that the seniors of this province are going to rise up in grateful thanks for having user fees imposed on them, if the disabled and the handicapped are so thrilled with the fact that they're suddenly going to have to pay \$2 a shot every time they pay for their drugs, will the Premier tell us, why is he afraid to send this particular measure off to a committee for a full discussion so that people can come out and do it?

**Hon Mr Harris:** I think the member will know that I have never been afraid of public debate, of hearings, of talking to people, of travelling around the province and listening to what they said. In fact, as I indicated earlier, we had open houses, we had town hall meetings, we had hearings. We heard what people had to say.

*Interjection.*

**The Speaker:** The member for Oriole is out of order.

**Hon Mr Harris:** In addition, when it has come to restructuring and reductions that we have to find in the health care system in order to fund new priority areas of service, we've heard from people all across the province. Roger Macauley, president of the Council for London Seniors, called the fee plan reasonable, one that may even help reduce problems. "Our members were prepared for



this." This is Roger Macauley, president of London Seniors. "Our members were prepared for this. I'd say the vast majority know this province has a debt problem and we all have to take part in handling it."

We've been pretty straightforward and up front continually, pre-election, during the election, post-election. The member asked about this in September when the House came back: Were we considering having seniors participate, as they do all across the country, in the drug benefit plan? We said yes, we were; we think this makes sense, and so did seniors who have talked to us.

1450

**Mr Rae:** Bill 26 would make Ontario the only province in Canada without the ability to regulate drug prices. It gives the Minister of Health more power over hospitals and doctors than any Health minister has in the rest of the country. It repeals existing laws giving preference to Canadian-owned, non-profit health care providers. It rolls back pay equity. It gives enormous power to the Minister of Municipal Affairs to restructure municipalities. It guts the laws requiring cleanups at polluting mines. It rewrites completely the rules for bargaining with police officers, firefighters, hospital workers and other workers in the broader public sector. It is a major measure, all in one bill. And that's not all it does; it does more than that. Those are just the highlights.

It signals a dramatic shift from all the town hall meetings you had. It was the town hall meetings that led you to say two things about health care. The first thing you said after the town hall meetings was that you wouldn't cut health care spending, that it's far too important. That's the first thing you said. The second thing you said was, "We will not cut aid to seniors and we will not cut aid to the disabled and we will not introduce any new user fees." The people already had your statement saying that a copayment is a user fee, so they can only assume that you meant it then in 1993 and you meant it today in 1995.

In that instance and in that regard, and given the total departure from the Common Sense Revolution, the complete and utter departure from it, why would you refuse now to have full hearings on every area in which you have so significantly given new powers to yourself and in which you've moved away from the teachings, the truths, the eternal verities, of the Common Sense Revolution?

**Hon Mr Harris:** The member indicates that Bill 26 indicates a significant departure from accepted practices. The member is quite right. We need a substantial difference from the last 10 years, where it was spend, spend, spend. It is a significant departure. Our election was a significant—

*Interjection.*

**The Speaker:** The member for Hamilton East.

**Hon Mr Harris:** The people of Ontario said, "We want a change. We want people who are capable to work for their benefits," and we said, "Yes, we agree with you."

We heard that in open town hall meetings, and we said that will be part of our platform. We heard people say, "We want you to pay your own way," both environmentally, by the way, and fiscally: a balanced budget.

You can't keep spending money you don't have. In fact, to do so is in effect spending dollars and sending the bill to our children and to our grandchildren and to the next generation. The people said: "Stop that. We don't want that any more. We want a change."

Yes, we are offering a change, both in a budgetary sense, in balancing the books, and yes, we are responding to our transfer partners, who are excited and enthusiastic about seeing a balanced budget in Ontario for a change, one that will lead to jobs and growth and investment in their communities. They've asked us for some tools to help them, and yes, we responded with a bill to give them those tools.

**Mr Sean G. Conway (Renfrew North):** My question is to the government House leader. Ernie, you know better—

**Mr Rae:** Yes, but Bert doesn't. That's the trouble.

**Mr Conway:** I say to the government House leader that he knows better than just about anyone here how unprecedented his Bill 26 is. He knows from long and distinguished years as a party House leader just how remarkable and how unprecedented is this particular bill. Yes, there have been other omnibus bills. He knows it and I know it. But I submit to you, sir, that there has never been in this chamber, in its long and distinguished history, a bill such as this Bill 26.

**The Speaker:** Put your question, please.

**Mr Conway:** Mr Government House Leader, your friend the Premier and you yourself like to describe this as an innocent little toolbox for your transfer partners, when you and I both know that this bill is a Trojan Horse with a bellyful of unprecedented, sweeping and unilateral powers that, for the first time ever, seeks to give your colleagues like the Minister of Health, for but one example, dictatorial powers in the area of, for example, closing down any public hospital.

**The Speaker:** And the question is?

**Mr Conway:** Given the sweeping, unprecedented and dictatorial—

**The Speaker:** Order. Finance minister.

**Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader):** The honourable member points out that there are some powers in this bill that are unusual. I would say that having a \$100-billion debt is very unusual. I would say that's never happened before in the province of Ontario either.

How did we get there? I would say that spending \$9 billion a year on interest to service a public debt that his party and that party have been largely responsible for in the last 10 years; not being able to spend that \$9 billion a year on people who need it for health care, on needy families, on children and essential services—yes, that's unprecedented in the province of Ontario too. And getting to the point where you have to spend \$1 million an hour more than you take in in revenue, due to policies of your government and your government—that's unprecedented too.

Unprecedented circumstances call for some very decisive action to bring this spiralling debt we have in this province under control so that my children, your

children and grandchildren will have a future in the province of Ontario instead of the legacy of debt that your two parties have left them.

*Applause.*

**Mr Conway:** If they want to clap, let them clap to this: Twenty years ago when I came here, Darcy McKeough presented this chamber with a budget in 1975 that offered a nearly \$2-billion deficit on a \$12-billion budget plan. In 1985, Jake La Motta there from Nipissing, with his friend Frank Miller, offered this chamber a budgetary deficit of \$3.3 billion on a spending plan of \$30 billion. How dare you talk about the last 10 years? That is your record.

To the government House leader, unprecedented is this bill—not unusual; unprecedented, conferring sweeping dictatorial powers to ministers. A naked power play, a naked concentration of executive power in this government, this Bill 26 is a legislative pudding full of ground glass masquerading as common sense and fiscal restraint.

Will you, Minister, recognizing the unprecedented nature of this Bill 26, commit today to meeting at the earliest opportunity today with my colleague the Liberal House leader and the NDP House leader to do the honourable thing, to break this bill into several sections and work out a timetable that allows a reasonable and democratic debate on the several enormously important policies contained—

**The Speaker:** The question has been asked.

**Hon Mr Eves:** With respect to the specific question he asked at the end of his question—or the end of his theatrical performance, perhaps I should say—if he talks to the member for St Catharines at all, he will know full well that at last Thursday's House leaders' meeting I said to both opposition House leaders that I would talk about the piece of legislation, I would get back to my cabinet colleagues and I would get back to them after your caucus, and your caucus, had had a chance to talk about the bill in caucus the following Tuesday, which is tomorrow.

You would know that process is already going on, so I'm somewhat surprised to find an open letter from the House leader of the third party today—perhaps he thinks that scores more political points—and I'm quite surprised to find your theatrical debate here today in questioning when you know full well that that process was under way, as it's always been under way.

I can make one commitment to the honourable member opposite: There will be more time for debate on this particular piece of legislation than was given by the previous government on its omnibus pieces of legislation.

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**The Speaker:** The question has been answered. New question, the member for Windsor-Riverside.

**Mr Cooke:** The question is to the government House leader. This piece of legislation that the government slipped in last week is not paralleled in the history of the province, so the government House leader should stop with the misinformation in this place that there's some parallel with other omnibus bills. There's no other parallel in the history of this province.

The government House leader was a member of the Legislature when Bill Davis brought in extraordinary legislation in the beginning of the 1980s to deal with the so-called budget crisis of his own making at that time. At that particular time, the Legislature was called back, there was a long second reading debate, and he had the decency to consult the public through public hearings.

I'm asking the government House leader, is he prepared to divide this bill up and allow the public to participate, or is he going to ram this bill through and legalize dictatorship in this province?

**Hon Mr Eves:** What an objective question coming from the House leader of the third party. I will make a commitment to the member, the same as I just committed to the member for Renfrew North: You will have more debate time on this particular piece of legislation, more time in committee or committee of the whole and more time on third reading debate than you ever dreamt of giving the opposition on your omnibus bills, 175 and 160.

**Mr Cooke:** There is no parallel. This bill deregulates drug prices. It allows the government to decide where doctors and which doctors can practise in the province. It gives the government the power to close hospitals. It gives the government the unilateral power to amalgamate and annex municipalities. The list goes on and on. It deregulates drug prices.

Our caucus has met. The Liberal caucus agrees. We're prepared to stay here through Christmas and in January and February if the government is interested in proceeding in a democratic way. Are you prepared to split up the bill and have the Legislature sit?

We're not the only ones who are worried about participating; there are 11 million people in this province. Your government is trying to change the face of this province with no consultation. Are you prepared to have the Legislature sit and get these bills out so that the public can participate in a change in this province of this magnitude?

**Hon Mr Eves:** The member for Windsor-Riverside will know full well that there was consultation in this province leading up to and including June 8. The member for Windsor-Riverside will also know that we are quite prepared—

*Interjection.*

**The Speaker:** Order, the member for Cochrane South.

**Hon Mr Eves:** We are quite prepared to have more discussion about this piece of legislation than you had the courtesy to extend to members of the opposition with respect to bills 175 and 160.

**Mr Richard Patten (Ottawa Centre):** Two wrongs don't make a right.

**The Speaker:** The member for Ottawa Centre, come to order.

**Hon Mr Eves:** The honourable member protesting is the individual who dreamt up, as I recall, new rules for the House in the Ontario Legislature. He belongs to a party that invoked time allocation or closure some 21 or 22 times in the last five years, and now he's objecting because the government that was elected to fulfil a mandate of expenditure reduction in the province of



Ontario and, yes, change the face of the province of Ontario, is doing exactly what it said it would do.

#### ARTS AND CULTURAL FUNDING

**Mr Derwyn Shea (High Park-Swansea):** My question is to the Minister of Citizenship, Culture and Recreation.

#### *Interjections.*

**Mr Gilles Bisson (Cochrane South):** Here's the guy who was in favour of rent control.

**The Speaker (Hon Allan K. McLean):** The member for Cochrane South has been continuously out of order and I won't warn him again.

**Mr Sean G. Conway (Renfrew North):** How about the member for London North, Mr Speaker?

**The Speaker:** There are all kinds of them.

**Mr Shea:** The financial statement announced last Wednesday brings with it many changes for this province. In light of last Wednesday's statement by the Finance minister, will the Minister of Citizenship, Culture and Recreation share with this House what the government is doing to help some of its cultural agencies adjust to the new economic realities?

#### *Interjections.*

**The Speaker:** Order.

**Hon Marilyn Mushinski (Minister of Citizenship, Culture and Recreation):** Before I answer the honourable member's question, I'd like to take this opportunity to recognize the passing of one of Canada's great icons of literature. I know all the members of this House will share the sadness of Robertson Davies's passing.

**Mr Shea:** I'd like more elaboration on what the financial statement means for the organizations involved.

**Hon Ms Mushinski:** When I met with the chairs and the CEOs of our cultural agencies in September, each and every one of them asked us to remove the barriers for their opportunities to raise funds. Indeed the cultural agencies like the Art Gallery of Ontario, the Royal Botanical Gardens and the Royal Ontario Museum are most happy that we have established the opportunity for them to create crown foundations.

#### OMNIBUS LEGISLATION

**Mrs Elinor Caplan (Oriole):** My question is for the Premier and it regards Bill 26, the Savings and Restructuring Act.

Premier, Bill 26 gives your Minister of Health the unilateral and unprecedented power to close hospitals; decide what services hospitals will provide; reduce, suspend, withhold or terminate funding to hospitals; force hospitals to merge and amalgamate; make regulations that would allow hospital boards to refuse applications for appointments and revoke existing appointments; revoke licences of private hospitals; unilaterally decide what services independent health facilities can deliver and which ones can exist; reduce or terminate any private hospital funding; determine what drugs and drug products will be covered by the Ontario drug benefit plan; determine what the dispensing fee will be for prescriptions, without negotiation; charge user fees—"copayments," he calls them—in the Ontario drug benefit plan which will

mean payments by senior citizens, welfare recipients, including children on welfare, disabled persons on welfare. He's going to bring in billing numbers for doctors, determine unilaterally what areas are oversupplied.

**The Speaker (Hon Allan K. McLean):** Will you put your question, please.

**Mrs Caplan:** As well, he will have the power to set levels of fees to decide what doctors and pharmacists and others will be paid.

Premier, do you agree that Bill 26 grants your Minister of Health these absolute and unprecedented sweeping powers in every aspect of the delivery of health services in the province?

**Hon Michael D. Harris (Premier):** No, I don't.

**Mrs Caplan:** Premier, in fact it does. You have made the argument very well for why there needs to be appropriate scrutiny of this bill. I believe that every one of the sections in this bill—because, Premier, the powers that I have listed in the first part of my question are the powers, and potential powers, that can be abused by this Minister of Health, although I admit that you believe he is benevolent.

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I am afraid of the abuse of power which is contained in this legislation, and I am also very concerned that no one will be able to give it the kind of scrutiny that it deserves. We know there has not been consultation. Frankly, I'm shocked and horrified that you are not aware of the powers that are contained in this bill. I'm asking you, on behalf of your government, to commit today to full public hearings on every aspect of the powers that I have outlined, public hearings that will allow the people of this province to understand the absolute and dictatorial powers. Will you commit to public hearings on this bill?

**Hon Mr Harris:** The House leader has indicated that there will be discussions with other House leaders on how we can provide significantly more time and debate on this piece of legislation certainly than we ever received. I want to also say that the question is coming from a member of the cabinet who brought us five successive 16% increases in spending that put this province into the mess that we have today.

Finally, what we are dealing with in the legislation is not at all the same representation that's being put forward by the member today. In those areas where it is taxpayers' dollars that are funding, what we are committing to do is to manage them far more effectively than you did.

#### TAX REDUCTION

**Ms Frances Lankin (Beaches-Woodbine):** My question is to the Minister of Finance. Minister, I couldn't help but actually be amazed over the course of the weekend as I read a number of quotes from you, quotes like: "We haven't calculated, quite frankly, how much it would cost." "We haven't structured what the tax cut will be." "There's a little slack in there." "We haven't designed the tax reduction yet." "Depending on the design of the tax cut, the numbers in the CSR may be extremely accurate or extremely inaccurate." My all-time favourite: "Of course, there has never been a design for

the tax cut plan, as I've found out in the few short weeks since being appointed on June 26."

Stunning, breathtaking, in their contrast to the surety of what's set out in the Common Sense Revolution where we see the numbers, where we know someone making \$25,000 a year will get \$425 in 1996-97, someone getting \$50,000 a year in income will get back \$934—accurate to the penny, Mr Minister, to the penny. And today we hear the Premier say, very clearly: "The CSR is what rules. This is what you will see in the budget."

Would you tell us, please, would you clear this up for us, because I think many of the people out in the public are quite confused, is there a plan? Will there be a 15% reduction in income tax in 1996-97? Will someone earning \$25,000 a year get \$425 back in a tax rebate? Please, clear this up for us, Mr Minister.

**Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader):** Is the honourable member for Beaches-Woodbine actually suggesting that the member for Nickel Belt, for example, five months or six months or seven months prior to a budget being read, had the tax legislation designed, had all the specifics of the tax legislation outlined and had the budget already in place? Is that what the member's saying?

**Ms Lankin:** Absolutely not. I am not saying that, because the member for Nickel Belt, the former Minister of Finance, would never have put out so irresponsible a document as this, based on false numbers, based on inaccurate—I was going to say untrue, but I want to be parliamentary here.

I've looked at these numbers. I've looked at the bottom line of the fiscal numbers that are there in the deficit. If you reinvest the health cuts, as your Premier has said, your deficit will go up. If you take the tax cut, as your Premier has said today, your deficit will go up. You haven't got those numbers calculated in there. Please tell us: Which is true? Which is right? Is it your deficit number, is it your commitment on the tax cuts, or is it your commitment to have every, every cent of health money reinvested next year? Tell us which one of those things you're going to do.

**Hon Mr Eves:** Talking about the member for Nickel Belt, the previous Minister of Finance, never putting out an irresponsible document, he put out five of them in a row. They were called budgets.

He also was irresponsible enough to suggest on April 27 of this year that his deficit would be in the neighbourhood of \$5.8 billion, and when we assumed office, lo and behold, we found out it was \$10.6 billion on a cash-modified system or \$11.2 billion on an accrual system. So much for irresponsible documents and irresponsible statements.

The member knows full well that she will get the particulars of the first instalment of the 30% tax cut in the 1996 budget, and she knows full well that she'll have to wait until then to get the specifics of the same.

#### REPORT CARDS

**Mr R. Gary Stewart (Peterborough):** My question is to the Minister of Education and Training.

#### *Interjections.*

**Mr Stewart:** Quiet, please. Show a little respect.

Minister, many constituents in my riding have expressed their support of a standardized report card for all students in Ontario. They recognize the advantage associated with having a clear and consistent reporting system on student achievement and performance. Minister, will your ministry be moving ahead with this long-needed and essential reform to Ontario's education system?

**Hon John Snobelen (Minister of Education and Training):** Notwithstanding the comments and catcalls from the members opposite, I believe that the question is on the mind of many parents in the province of Ontario and that it's important to the people of the province of Ontario. It also speaks to this government's commitment to quality, accountability and affordability of education in the province of Ontario.

Let me read to you from the throne speech, where we said, "Within the classroom, the Harris government will ensure a demanding core curriculum, regular testing of students and standardized report cards."

I'm pleased to assure the member that this government will work towards a standardized report card across the province of Ontario that will make assessment of students clear to parents.

#### PETITIONS

##### HEALTH CARE FUNDING

**Mr Mike Colle (Oakwood):** This is to the Legislature of Ontario. It says, "No" to user fees on medication for seniors.

"Whereas the Minister of Health, the Honourable Jim Wilson, is imposing user fees on prescription medicine for seniors and people on social assistance;

"Whereas during the election, the Mike Harris Conservatives promised they would not impose new user fees for health care;

"Whereas seniors and people on social assistance are having a most difficult time paying for food and housing and paying taxes on their small pensions and incomes;

"We, the undersigned, petition the Legislature of Ontario as follows:

"Be it resolved that the Minister of Health, Honourable Jim Wilson, and Premier Mike Harris stop the user fees on prescription drugs for seniors and the people on social assistance and keep their promise of no new user fees for health care."

I've affixed my name to this petition.

##### CHILD CARE

**Mr Len Wood (Cochrane North):** I have a petition and a letter from a large number of people in Hearst.

"We, the undersigned, are firmly opposed to the erosion of the child care system. We are most particularly concerned about the unregulated child care sector, which represents the choice of most Ontario families, many living in rural areas. We urge this government to make its budget reduction in areas where children and families will not once again be the targets of cuts. Family resource programs support the informal sector of child care, which



includes parents caring for their own children and care provided by grandparents, home child care providers and nannies."

As I said before, there are a large number of people from Hearst, Cochrane and Kapuskasing and they're very much concerned. I've affixed my name to the petition.

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#### HEALTH CARE FUNDING

**Mr Michael Gravelle (Port Arthur):** "Whereas Mike Harris promised on May 3, 1995, not to cut one cent from health care spending; and

"Whereas that promise was broken when the Conservatives cut more than \$1.3 billion from Ontario hospitals; and

"Whereas Mike Harris also promised in the Common Sense Revolution that, 'Aid for seniors and the disabled will not be cut'; and

"Whereas that promise was broken when the Conservatives slapped a new user fee on the drugs seniors, the disabled and the poor are prescribed by their doctors when they are sick; and

"Whereas Mike Harris promised in the Common Sense Revolution that there would be no new user fees; and

"Whereas that promise was broken when the Conservatives added \$225 million worth of user fees on the Ontario drug benefit plan; and

"Whereas Mike Harris has clearly broken every single promise he has made with respect to protecting health care; and

"Whereas Mike Harris and the Conservatives are now planning, through Bill 26, to bestow upon the Minister of Health new dictatorial powers which would allow him to singlehandedly close any hospital in the province with the stroke of a pen; and

"Whereas Bill 26 will allow the Minister of Health to close any hospital in the province without any public input whatsoever; and

"Whereas Bill 26 will allow the Premier and cabinet to usurp the rights and privileges of the elected members of this Legislature and thereby the rights of every person in this province;

"We, the undersigned, demand that Mike Harris reverse his policies, which will clearly jeopardize the future of quality health care in Ontario; and we further demand the Conservative government withdraw their heavy-handed, dictatorial budget bill, Bill 26."

I'm proud to sign my signature.

#### COMMON SENSE REVOLUTION

**Ms Frances Lankin (Beaches-Woodbine):** I have a petition to the Legislative Assembly of Ontario which reads:

"Whereas Mike Harris said on May 30, 1995, 'If I don't live up to anything that I have promised to do and committed to do, I will resign'; and

"Whereas Mike Harris promised on May 3, 1995, 'No cuts to health care spending,' but in his November 29 economic statement we see \$1.3 billion or 18% in cuts to hospital spending over the next three years and a further \$225 million in cuts from the health care budget; and

"Whereas Mike Harris has clearly broken his promise to defend health care cuts in funding; and

"Whereas Mike Harris promised in the Common Sense Revolution that, 'This plan will create more than 725,000 new jobs,' but in his November 29 economic statement we see a prediction of only 253,000 jobs created over the next three years and an unemployment rate of 8.6% in two years, which is the same as it is today; and

"Whereas Mike Harris has clearly broken his promise to create significant jobs in this province; and

"Whereas Mike Harris promised in the Common Sense Revolution that, 'Aid for seniors and the disabled will not be cut,' but in his November 29 economic statement Mike Harris is cutting the Ontario drug benefit plan and making seniors and the vulnerable pay for their drugs; and

"Whereas Mike Harris has clearly broken his promise to seniors and the disabled;

"We, the undersigned, demand that Mike Harris keep his word and resign immediately."

I've affixed my signature to this petition.

#### HOSPITAL RESTRUCTURING

**Mr Monte Kwinter (Wilson Heights):** I have a petition to the Legislative Assembly of Ontario.

"Whereas the final report of the Metropolitan Toronto District Health Council hospital restructuring committee has recommended that North York Branson Hospital merge with York-Finch hospital;

"Whereas this recommendation will remove emergency and inpatient services currently provided by North York Branson Hospital, which will seriously jeopardize medical care and the quality of health for the growing population which the hospital serves, many being elderly people who in numerous cases require treatment for life-threatening medical conditions;

"We petition the Legislative Assembly of Ontario to reject the recommendation contained within the final report of the Metropolitan Toronto District Health Council hospital restructuring committee as it pertains to North York Branson Hospital so that it retains, at minimum, emergency and inpatient services."

I have affixed my signature.

#### FRENCH-LANGUAGE SOCIAL SERVICES

**Mr David Christopherson (Hamilton Centre):** I have a further petition from my community. In fact, this makes over 2,000 signatures that I've presented so far.

"Whereas the funding for social services in the centres de santé communautaire of Hamilton and Niagara has been cut by 100%; and

"Whereas the French Language Services Act ensures the delivery of French-language social and health services to francophones in designated cities, such as Hamilton, Welland and Port Colborne; and

"Whereas the needs and feasibility studies carried out after the implementation of the French Language Services Act recommended the establishment of community health centres in the regions of Hamilton-Wentworth and Niagara to ensure delivery of French-language services; and

"Whereas the health centres are the only organizations ensuring the delivery of social services in French, since there are no designated bilingual positions in the other organizations of these designated cities;

"We, the undersigned, petition the Legislative Assembly as follows:

"We demand that the Legislative Assembly immediately stop its attack on French-language services in Ontario. The centres de santé communautaire of Hamilton and Niagara are the only agencies offering French-language social services because there are no bilingual designated positions in the other agencies in our communities. We expect the Legislative Assembly to demonstrate clearly that Franco-Ontarians are an integral part of the province of Ontario, to immediately review the cuts which have affected those health centres and to re-establish the funding of social services and ensure the future of social services and health services in French in the Hamilton-Wentworth and Niagara community health centres."

I affix my signature.

#### HEALTH CARE FUNDING

**Mr Frank Miclash (Kenora):** I have a petition to the Legislative Assembly which reads:

"Whereas Mike Harris promised on May 3, 1995, not to cut one cent from health care spending; and

"Whereas that promise was broken when the Conservatives cut more than \$1.3 billion from Ontario hospitals; and

"Whereas Mike Harris also promised in the Common Sense Revolution that, 'Aid for seniors and the disabled will not be cut'; and

"Whereas that promise was broken when the Conservatives slapped a new user fee on the drugs seniors, the disabled and the poor are prescribed by their doctors when they are sick; and

"Whereas Mike Harris promised in the Common Sense Revolution that there would be no new user fees; and

"Whereas that promise was broken when the Conservatives added \$225 million worth of user fees on the Ontario drug benefit plan; and

"Whereas Mike Harris has clearly broken every single promise he has made with respect to protecting health care; and

"Whereas Mike Harris and the Conservatives are now planning, through Bill 26, to bestow upon the Minister of Health new dictatorial powers which would allow him to singlehandedly close any hospital in the province with the stroke of a pen; and

"Whereas Bill 26 will allow the Minister of Health to close any hospital in the province without any public input whatsoever; and

"Whereas Bill 26 will allow the Premier and cabinet to usurp the rights and privileges of the elected members of this Legislature and thereby the rights of every person in this province;

"We, the undersigned, demand that Mike Harris reverse his policies which will clearly jeopardize the future of quality health care in Ontario and we further

demand the Conservative government drop their heavy-handed, dictatorial budget bill, Bill 26."

I've attached my name to that petition as well.

#### SILVER SPRING FARM

**Mr Bernard Grandmaître (Ottawa East):** I have a petition from parents of developmentally disabled persons at Silver Spring Farm, and it reads:

"Whereas under a Niagara cultural program funded by the Ministry of Community and Social Services there are 20 developmentally disabled persons presently working at the Silver Spring Farm in Nepean, Ontario; and

"Whereas during the spring provincial election the Progressive Conservative candidate declared that the developmentally disabled would not be affected by any future downsizing due to budget cuts; and

"Whereas the parents of the 20 developmentally disabled persons working at Silver Farm believe that the agricultural program has proven to be a great benefit and an excellent source of fulfilment for these workers with disabilities;

"We, the undersigned, petition the Legislative Assembly of Ontario that the agricultural program for the developmentally disabled at Silver Spring Farm be maintained."

This petition has been signed by 2,720 people in the area of Nepean and I have signed the petition.

#### HIGHWAY SAFETY

**Mr David Ramsay (Timiskaming):** To the Legislative Assembly of Ontario:

"Whereas the Ministry of Transportation is intent on reducing northern winter road maintenance services; and

"Whereas such downgrading places the lives of northern residents at undue and unnecessary risk;

"We, the undersigned, petition the Legislative Assembly of Ontario to disallow these reductions in service and to guarantee that the winter roads across the northern regions of this province receive the necessary maintenance to ensure safe passage of drivers."

I have affixed my signature to this petition.

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#### HEALTH CARE FUNDING

**Mr Michael A. Brown (Algoma-Manitoulin):** I have a petition that I'm proudly presenting from the central part of my riding, places like Massey, Webbwood and Espanola.

"To the Legislative Assembly of Ontario:

"Whereas the majority of Ontario senior citizens have contributed to the province through work and taxes all their lives and for many of those years had not the benefit of many of the social programs enjoyed today;

"Whereas recent and planned funding cuts to health care, including reduced hospital grants and hospital closures, elimination of many medications used by seniors from the Ontario Drug Benefit Formulary, reduction in the out-of-province ambulance cost-sharing program, reductions in the assistive devices and home oxygen programs, will have the greatest impact on senior citizens; and



"Whereas reductions to the non-profit housing access fund and long-term-care funding will further erode the deserved right of Ontario's senior citizens to participate in society and live safe, independent lives;

"Therefore, we, the undersigned, petition the Legislative Assembly as follows:

"To immediately review and reconsider all cost-cutting which impacts directly and indirectly on the health and wellbeing of Ontario's senior citizens."

I proudly affix my signature.

#### JUNIOR KINDERGARTEN

**Mr Peter North (Elgin):** I have a petition to the Legislative Assembly of Ontario.

"We, the undersigned of Elgin county, beg leave to petition the Parliament of Ontario as follows:

"That junior kindergarten as it stands in the current public school system remain as a level of education for our children, governed by the provincial government;

"Therefore, we, the people of Elgin county, request that the House refrain from cancelling junior kindergarten as proposed by the current Harris government. We request that junior kindergarten remain as part of the public school system."

#### SPENDING REDUCTIONS

**Mr John Gerretsen (Kingston and The Islands):** I have a petition which is addressed to the Legislature of Ontario and is signed by about 400 of the residents of my riding. It says:

"Whereas the following residents of Kingston and area do not support the current financial cutbacks to programs, including child care, counselling services, women's shelters, civil service jobs, social housing, halfway houses, youth programs and services, labour concerns, children's aid, children's mental health programs, hospitals and financial assistance programs such as welfare, mother's allowance and disability; and

"Whereas the citizens of Kingston and area believe that the Tory government is creating havoc, more poverty, especially child poverty, and paying the debts of the province on the backs of the poor and the powerless;

"We want this type of heartless, unplanned tyranny to stop."

I've affixed my signature to it.

#### HIGHWAY SAFETY

**Mr Frank Micalash (Kenora):** I have a petition to the Legislative Assembly of Ontario which reads:

"Whereas the Ministry of Transportation is intent on reducing northern winter road maintenance services; and

"Whereas such downgrading places the lives of northern residents at undue and unnecessary risk;

"We, the undersigned, petition the Legislative Assembly of Ontario to disallow these reductions in service and to guarantee that winter roads across the northern regions of the province receive the necessary maintenance to ensure the safe passage of drivers."

I've attached my name to that petition as well.

#### HEALTH CARE FUNDING

**Mr Michael A. Brown (Algoma-Manitoulin):** "Whereas Mike Harris promised on May 3, 1995, not to cut one cent from health care spending; and

"Whereas that promise was broken when the Conservatives cut more than \$1.3 billion from Ontario's hospitals; and

"Whereas Mike Harris also promised in the Common Sense Revolution that, 'Aid for seniors and the disabled will not be cut'; and

"Whereas that promise was broken when the Conservatives slapped a new user fee on drugs for seniors, the disabled and the poor prescribed by their doctors when they are sick; and

"Whereas Mike Harris promised in the Common Sense Revolution that there would be no new user fees; and

"Whereas that promise was broken when the Conservatives added \$225 million worth of user fees on the Ontario drug benefit plan; and

"Whereas Mike Harris has clearly broken every single promise he has made with respect to protecting health care; and

"Whereas Mike Harris and the Conservatives are now planning through Bill 26 to bestow upon the Minister of Health new, dictatorial powers that would allow him to singlehandedly close any hospital in the province with a stroke of a pen; and

"Whereas Bill 26 will allow the Minister of Health to close any hospital in the province without any public input whatsoever; and

"Whereas Bill 26 will allow the Premier and cabinet to usurp the rights and privileges of the elected members of the Legislature and thereby the rights of every person in this province;

"We, the undersigned, demand that Mike Harris reverse his policies which will clearly jeopardize the future of quality health care in Ontario and we further demand that the Conservative government withdraw their heavy-handed, dictatorial budget bill, Bill 26."

I affix my signature.

#### GOVERNMENT BUSINESS

##### REPLIES TO ECONOMIC STATEMENT

**Mr Gerry Phillips (Scarborough-Agincourt):** Just so we all know what we're talking about, particularly me, we're dealing now with the fiscal and economic statement that was presented in the House last Wednesday by the Minister of Finance and beginning debate on it. I had an opportunity to begin this debate last Thursday and continue the debate now.

I believe this is, for the government, really the defining document for you. This is the document that sets the government's course. I think it fundamentally changes Ontario. It sets Ontario on a new course, frankly one that concerns us deeply.

Just so we all appreciate the magnitude of the cuts you are proposing, in the end about 25% of all government spending will be cut out. That's about \$8 billion, and just so we all appreciate what that's being used for, it is the government's intention to cut \$8 billion out of the budget

and then, according to the documents we've been given by the government, it's the government's intention to use \$5 billion of that for a tax cut, a 30% cut in personal income tax, and to use \$3 billion of that cut to reduce the deficit, just so we know why we're going through the pain—and it will be very painful in Ontario, make no mistake about that.

It is because the new government is committed to a 30% cut in personal income tax, and today the Premier once again confirmed that this is the government's firm intention. It will be done over the next three budgets, half of it in the budget that will be presented here in April or May 1996 and then a quarter and a quarter.

But when we talk to people in the community about why we must go through this incredible battle with the deficit, I think we have to be clear that much of the saving is not being used to reduce the deficit. In fact \$5 billion of the \$8 billion is being used to fund the tax cut, and I might add, for the people out there who are very worried about the deficit and the cost of funding the debt, that virtually all of this money for the tax cut has to be borrowed for the next four years. We're not going to balance this budget until March 31, 2001. By the way, that's about eight months after the next election.

**Mr Michael A. Brown (Algoma-Manitoulin):** What a coincidence.

**Mr Phillips:** Well, it won't be before the election, because it won't be balanced until March 31, 2001.

We are going to go through an incredible amount of change in the province, there's no doubt—the government itself points this out very clearly—a dramatic reduction in the level of services, and for what? Partially to fight the deficit, but more importantly to fund a tax cut, a 30% tax cut on personal income tax. Clearly, the more you make, the bigger the cut.

The Finance critic for the NDP pointed out earlier today in the Legislature that it was crystal clear in the Common Sense Revolution—crystal clear—what the implications of that 30% tax cut were. There were several charts in the Common Sense Revolution. This one has the tax implications for people making \$100,000 a year and it was calculated out to \$2,540. During the campaign the now Premier, the then leader of the Conservative Party, pointed out in clear detail that this 30% tax cut applied to everyone. The more you make, the bigger the cut. If you make \$150,000 a year, the cut is \$5,000 a year.

1540

**Mr Wayne Wettlaufer (Kitchener):** And the more you pay on the health premiums.

**Mr Phillips:** No. I always appreciate the heckles because—

**Mr Wettlaufer:** But you want to ignore that.

**Mr Phillips:** No. This is what infuriates me, for the viewers who can't hear. One of the Conservative members is heckling me and saying, "But you ignore the health cut." No, no, no, no. I've actually read the Common Sense Revolution. This is after the health levy.

**The Acting Speaker (Mr Gilles E. Morin):** Address your remarks to the Chair, please.

**Mr Phillips:** Thank you, Mr Speaker, but I'm being provoked by members of the Conservative Party who don't understand the document they ran on. They don't understand the document they ran on, because the figures I give you are after the health levy.

So when we are asked to bear the pain—if you're on social assistance, you're bearing the pain right now of a 21.5% cut in your social assistance. By the way, the Minister of Finance acknowledged last week maybe they made a few mistakes doing that, but so what? So what if some people have borne an enormous penalty for their mistakes over the last little while?

The people on social assistance are going to have to bear the pain, the people in the education system are, the people in the municipalities are going to have to bear the pain, and the hospitals and the seniors, all of the pain. We're being told it is to fight the deficit; we've got this death fight with the deficit. But I would just say, to us it is crystal clear that \$5 billion of that deficit-fighting is going to fund the tax break.

I want to talk about what I regard as a serious breach of confidence with the people of Ontario in what was announced last week. I don't think it could have been clearer in the campaign that the Conservatives were running on a campaign of not touching one penny of health care. In the all-candidates debates I was at, that was the thing that I think perhaps gave the most reassurance to people: "Don't worry. We are not going to touch one penny of health care." It was repeated time and time again.

As a matter of fact, in all the documentation that was presented to us, it was clear—this is the documentation for all of us on cost measures; in other words, what things were going to be cut—health never shows up anywhere. It never shows up in 1996-97, 1997-98, 1998-99. It never shows up. It could not have been clearer that the commitment you made and you all ran on was to not touch a penny of health care.

None of you ran on the platform of saying, "We're going to cut it for a while. We're going to cut," and last week's announcement cuts \$1.5 billion out of health care. None of you ran on that. I challenge any of you to show me a document that would indicate that you ever told anyone: "Here's our promise. We're going to cut the health care spending and then restore it in four years."

You provided direct assurance to the seniors, the people of this province who are worried about health care, which I guess is everyone, and certainly to the people in the health care field that your government would not touch a penny. Then what we heard last week in this statement, the fiscal and economic statement, was that the hospitals themselves were going to be cut by \$1.3 billion. To put a perspective on that, that's about 20% of our hospitals funding.

I would say that for the hospital sector, that is going to be a tremendous strain on them. As I think we know, every hospital in the province is going through some challenging times. They all know they've got to restructure. They all know there has to be change made. They all know it's going to take some time and, frankly, some money to make those changes possible. But just when



they're all wrestling with that, the government says, "We're going to cut 20% of funding for our hospitals."

It would perhaps be understandable if at the same time the government said last week, "But we're reinvesting that money in community-based care," which would allow beds to close, people to leave the hospital earlier. But no. We were told specifically that that cut from the hospitals wasn't being reinvested. We were told specifically it was clearly part of the money that's being cut out of the budget and used to reduce the deficit and used to fund the tax break.

I would say to the Conservative caucus, listen carefully, because you're all going to have to explain this. You're going to have to explain this over the next few weeks and certainly over the next few months. Listen carefully to the explanation, because the Premier implies this money is going to be put back into health care. That's not the case. It is being taken out of the budget. The government was getting lots of good pats on the back from the financial community last Wednesday for these great cuts in spending. These great cuts in spending included \$1.3 billion in hospital funding.

The second thing I want to say on health is on the user fees. This wasn't a promise that somebody twisted your arms to make, but you all ran on a platform of no new user fees. You all ran on a platform that was very specific, because what you're now talking about are copayments outside of the Canada Health Act. The Minister of Health is trying to weasel off a firm commitment that all of you ran on.

People are going to hold this up and say, "Wait a minute," because what you said was: "We reject copayments. We reject user fees. We have a better way, a fairer way, and it's called our fair share health care levy." So all the seniors in the province said: "My gosh, the Conservatives are looking after me. The Conservatives aren't going to put a user fee on me or a copayment. They're going to do it through this fair share health care levy."

In fact you say: "In the last decade, user fees and copayments have kept rising and many health care services have been 'delisted' and are no longer covered by OHIP.

"We looked at those kinds of options,"—copayments, user fees, delisting, no longer covering—"but decided the most effective and fair method was to give the public and health professionals alike a true and full accounting of the costs of health care, and ask individuals to pay a fair share of those costs, based on income. We believe the new fair share health care levy, based on the ability to pay, meets the test of fairness and the requirements of the Canada Health Act."

As of last Wednesday, you have broken, clearly broken, that commitment that all of you made to all the people in this province, and particularly the seniors in the province.

I say to you that on this fiscal document, if I were in the Conservative caucus, I would be going to the cabinet and saying: "This isn't what I ran on. This isn't what I promised. I'm going to be asked some questions that I don't have answers for." I guarantee you that will happen.

The second thing I'd say that's extremely important to the people of Ontario and to all of us is that—for those people who are watching, what happens around here is that we have what we call a "lockup," where the members of the opposition go into a meeting room, we are what's called "locked up," we stay in that room to be briefed on what's going to be in the financial statement, and then we're let out just as the statement's begun to be read.

**Mr Peter Preston (Brant-Haldimand):** Your choice.

**Mr Phillips:** Again, there we go, "Your choice."

**Mr Preston:** I was here.

**Mr Phillips:** Yes, there's the member saying, "I was here." I appreciate the fact that the Conservative member who's heckling and saying, "Too bad you were locked up," doesn't realize that it is our obligation to be in that lockup. That's what's expected of the opposition. That's why we're there. The member across—whoever it might be; I'll find out eventually—heckling, sitting in here, was party to the fact that tabled here on Wednesday was a bill that I guarantee you you will regret having introduced.

I'll just tell the people of Ontario what it is. It is a bill that is extremely far-reaching. It takes away from people some very fundamental rights. It impacts every single person in this province, and it is clear why it was done. The Minister of Finance made it very clear today, "We have a fiscal problem and we need this to deal with it."

**Hon Charles Harnick (Attorney General, minister responsible for native affairs):** Yes, that's right.

**Mr Phillips:** And the Attorney General says, "Yes, that's right."

**Hon Mr Harnick:** An unprecedented problem.

**Mr Phillips:** To the Attorney General, sitting here, I would say as directly as I can, I think you should be embarrassed about this bill. I think it tramples on some fundamental rights of people. I don't know how you allowed it to be introduced when what it means—

**Hon Mr Harnick:** You're wrong.

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**Mr Phillips:** The Attorney General says I'm wrong. I will tell you that eventually, as we all deal with this bill, it is a—I hope it doesn't sound too dramatic. It's the War Measures Act. It's the Ontario equivalent of the War Measures Act, designed to fight your Common Sense Revolution.

What does it contain? The Minister of Health now has the unilateral right to tell any hospital in this province what it can and what it cannot do, what services it can offer, what services it can't offer—any hospital in the province.

Frankly, I don't like that. I used to be chairman of a hospital board. We had some pride in trying to reflect the needs of our community. But now the Minister of Health will tell every hospital in this province what services they can and cannot offer. The Minister of Health has the right now to close any hospital that he so chooses. The Minister of Health now has the right to set user fees—and you ran on a platform, Mr Attorney General, of no user fees. This bill: Why are you introducing it? To go exactly

opposite to what you ran on and what you promised in your campaign.

**Hon Mr Harnick:** We promised we'd reinvest into health care—

**Mr Phillips:** No, no, no. The Attorney General says—don't—well, I wish I could say what I think, but I would be thrown out of the Legislature. You made a solemn promise to introduce no new user fees, no copayments, and that was your promise. No one forced you to make that but that was your promise.

So what we've got here is a bill that allows the Minister of Health—and as I said before, I'm amazed that the Attorney General, whom I view as a civil libertarian, would allow this to go forward—to have the most sweeping powers of any Minister of Health in this country. The Minister of Municipal Affairs can unilaterally restructure any municipality he wants—sweeping powers introduced.

Why? Because they say we've got an enormous deficit problem. I say, if this deficit problem is so difficult, so immense, so overwhelming that we need these extraordinary powers, how can you at one and the same time afford a \$5-billion tax cut then? If you need these sweeping powers, how can you afford that tax cut?

I have difficulty imagining that the government plans to proceed to pass this bill before Christmas. They often say there was another bill called Bill 175 that covered more statutes. The fact of the matter is that the Bill 175 introduced by the NDP I think had all-party agreement and it was a bill designed to clean up statutes that needed cleaning up and all parties agreed, "That's the best way to do it. Let's not introduce 30 bills," because it was essentially housekeeping.

As a matter of fact, when Bill 175 was first presented to us, we said, "We've got concerns in these two or three areas. We think they are more significant than you do," and they were taken out of the bill, which is not a bad idea. There should be some piece of legislation that allows, when there's all-party agreement, for us to change legislation around here without debating the full bill.

That bill did cover many acts, but it certainly had, as I recall it, all-party agreement. This bill is very different. This bill touches on the very heart of Ontario, and as I say, in the health area, sweeping powers, in the freedom of information area, which may, for many, not be a huge area, but for people who are suspicious of government, people who believe that government should be as transparent as possible, it makes it more difficult to be that. On municipal affairs, it gives the powers to implement municipal restructuring just through orders in council.

I could go on, but it impacts on the Pay Equity Act in a big way. It tells doctors where they can practise and where they can't practise. It changes the public pension plan. If I were a policeman in this province, or a firefighter, or a hospital worker, an ambulance worker, or a teacher, I would be phoning up people who are responsible for my collective bargaining and I would be saying, "What impact does this bill have on us?" and I would say to the people that it directs arbitrators on how they are going to make awards. Some may like that, but for organizations like our police and our fire and our ambu-

lance drivers, who rely on arbitration as their sole collective bargaining mechanism, this is a very dramatic change for them. I think it dramatically weakens their bargaining position and dramatically strengthens the employer's bargaining position.

You may say that's great, but if you're a firefighter or a policeman, who have fought for this legislation, who have this as their bargaining tool, this fundamentally changes the relationship. It doesn't surprise me, but I surely think it warrants a very major debate, because if in the end there isn't real collective bargaining going on, believe me, people have other ways. They get very frustrated with it—I've learned that a long while ago—and they'll find other ways to deal with grievances around collective bargaining if there's no real collective bargaining.

This is the bill that allows the government to do that. I would say that there needs to be a very substantive debate around Bill 26.

As my time runs out, I would just say that the fiscal statement last week fundamentally changes Ontario. Sadly, I think we have a meaner, less caring, less compassionate society than we had before. I think it increasingly is every person for himself or herself, and that's unfortunate. I frankly don't think that's the legacy of the old Progressive Conservative Party, and it's unfortunate, and this bill fundamentally changes Ontario, and that's unfortunate.

**The Acting Speaker:** Questions or comments?

**Mr Tony Clement (Brampton South):** I understand the honourable member for Scarborough-Agincourt's concern about whether we, as the government, have the necessary compassion to be a government that can serve the people.

My only response to the honourable member is that it is the government that does nothing over the next four years, it is the government that fails to understand the need to tackle our deficit and debt situation, that is not being compassionate. If we do not do anything, the crushing debt that every man, woman and child has to bear goes from \$9 billion a year in debt service payments to \$20 billion a year. Under no circumstances is it being compassionate to allow that to happen, because we will not have the services for the unemployed, we will not have the services for those who are less fortunate than ourselves, we will not have the services to educate our children properly, to make sure that our streets are safe for every citizen of this province. That is being uncompassionate.

I share in the honourable member's concern that compassion is a priority of the government. I would put it to you, Mr Speaker, that we are the ones who are being compassionate because we are the ones who understand that our debt has to be put under control to ensure that there are jobs and opportunity for all Ontarians.

**Mr Michael Brown:** I'm pleased to stand up on behalf of the constituents in my area to commend the member for Scarborough-Agincourt on his presentation. I think Mr Phillips has demonstrated a clear understanding of the numbers.



I'm a little taken aback by the last member's comments. He seems to think that only Conservatives know anything about deficit reduction, when in fact all this spending decrease is to provide for a tax cut, or at least most of it. It has nothing whatever to do with deficit reduction; it has everything to do with making sure fat-cat Tories get good tax breaks. That's what it's about. But the government has selective memory when they look at the Common Sense Revolution and they have selective memory when they read their own financial statement.

Seeing as that's what we're here debating, I would like to call the government's attention to page 32 in the document. It's right here. It's probably too small to pick up on the cameras, but what it shows is that in 1989 there was a balanced budget in this province. And who was the Treasurer of the province of Ontario at that point? It was the Honourable Bob Nixon, who happened to be a Liberal. There wasn't a balanced budget for 20 years before that.

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That's what their own document says, and if we read the bottom—this is also interesting—it says right here in the text:

"With increased debt have come increased interest costs. This year, about 19 cents of every dollar in revenue the government collects will go to pay interest on the debt. Five years ago"—that was when there was a Liberal government—"it was less than nine cents."

So I want to tell these Tories who seem to want tax cuts but not deficit reductions, get with it.

**Mr John Gerretsen (Kingston and The Islands):** I would just like to follow up on something that was said by the earlier member across the way, and also by the member over on the left here—he's actually to the right of me, but he's to the left of me—the member for Lincoln, and that deals with who caused the deficit.

Let me first of all preface by saying that I believe in looking forward, not in looking backwards. We have heard in this House over and over again the government charge that somehow the Liberals and the New Democrats are the cause of our economic problems.

Well, I have a document here from the Fraser Institute—not exactly a Liberal or a New Democratic organ, I would say. It's probably the most rightward-thinking think tank in this country. It clearly shows that during the period of time from 1981 to 1985, when the Conservatives were in power, the average deficit that was rolled up in each and every year was \$2.7 billion per year. You've got to remember, that was at a time when the budgets of the province were something along the line of \$10 billion to \$13 billion per year.

During the Liberal years, the average deficit annually was \$2 billion. So during the first five years of the 1980s, the debt of the province went up by \$13 billion, and during the Liberal years that followed that, by less than \$10 billion.

I totally agree with them that the NDP government raised it by \$50 billion in the next five years, but let's get our facts straight. Let's go back 15 years when we make these comparisons and not 10 years like our friends across the room have been doing.

**The Acting Speaker:** The time has expired. Further questions or comments? If not, the member for Scarborough-Agincourt, you have two minutes.

**Mr Phillips:** I appreciate the comments of the member for Brampton South about why we're going through all this pain to get the deficit under control. I just say once again, if this were a battle about the deficit and solely about the deficit, and if all the pain were required to get the deficit under control, I think we could have a reasoned debate. The problem we run into is, by your own admission—and I do follow the Common Sense Revolution quite clearly. I've been our Finance critic, and during the campaign we had great battles, the three parties, around the finances.

**Mr John Hastings (Etobicoke-Rexdale):** You laughed at it before.

**Mr Phillips:** Actually, I did laugh at it. The member over there says I laughed.

Here's the problem that I have. The member for Brampton South says: "This is all about the dreaded deficit. We have to get the deficit under control." Then we find out this isn't about the deficit; this is about a tax break. This is about the tax break, where you've promised to cut taxes by 30%—\$5 billion.

**Mr Clement:** Four.

**Mr Phillips:** No, no. He says four. You see, you never look at your own material. Five billion dollars there, from the direct fiscal impact of the Common Sense Revolution.

**Mr Gerretsen:** It's your document.

**Mr Phillips:** From your own document.

As I said before, if this were just about the deficit, and if all the hospitals have to be closed because of the deficit, and if all the people on social assistance have to have their rate cut, and if all the municipalities have to cut services, if that were all this was about, I could understand it. But most of this is for a tax cut.

**The Acting Speaker:** Further debate?

**Ms Frances Lankin (Beaches-Woodbine):** I appreciate the opportunity to take part in this very important debate about a document that I think is historic in its import and in its impact. I want to take the time I have available for our leadoff response to go through a number of different sectors of the Ontario provincial economy and the Ontario broader public sector to understand, work through, what the impacts are, what the effects will be, and then come back to the bottom line in terms of, does this make fiscal sense, let alone common sense?

As I do that, it's important to set the context. I have to back up and take a look at the period leading up to the last provincial election and during the election itself. That was when the Common Sense Revolution document was first published and much promoted, and of course it became the platform on which the now government ran its election campaign.

There were many marvellous and wondrous promises made in that document. At the time, we found it lacked credibility; that the numbers didn't add up. We said that repeatedly, but it is true that people basically thought it

was just political parties of different ideologies and political stripes harping, and they didn't listen to that warning even though it was made over and over again by members of both the Liberal Party and the New Democratic Party.

That's a shame, because I think what we see now, as the document that was tabled last week in this House underscores only too clearly, is that those warnings that the Common Sense Revolution didn't make sense, that the numbers didn't add up, that there were real problems and potentially serious impacts for the province of Ontario—those warnings were only too true.

It has been important to try and understand how a group of people like the party opposite, the governing party, could have gone through the year leading up to the election and all the way through the election repeating the mantra of the Common Sense Revolution over and over again, never questioning it themselves. Perhaps one might wonder whether some who were the architects of that document in fact knew the inconsistencies in it. It's hard to tell.

It's very hard, as you will well know, Mr Speaker, to find the parliamentary language to question this basic premise. I thought I might have had it on the weekend. I just share with you that I'm an avid crossword puzzle buff, and in the Saturday Star's crossword puzzle, number 123 down—you might want to check it out—the clue was, "Was incorrect, on purpose." The answer is a four-letter word that starts with L, in the past tense.

I won't say it, because that would be unparliamentary, but I have to wonder whether there were times during that election campaign when the Premier was in fact inexact, on purpose—when he said clearly, over and over again, "We will not touch one cent of the health care budget"; when he said in the Common Sense Revolution document itself, "We will not cut health care spending"; when he said during the campaign: "That budget is sealed, that envelope is sealed. It's at \$17.4 billion, it'll be at \$17.4 billion in 1996, at \$17.4 billion in 1997, in 1998."

I'm sure you all said it at the doorstep too. I know the Conservative candidate in the riding in which I ran said it at debates, said it at the doorstep to people, said it in response to questions. Yet shortly after the House resumed in September and we started asking questions about how this could be possible because the numbers don't add up, how you were going to do it, we heard a repositioning of that most important—in the Premier's own words: "Can't touch health care because it is too important. This is the most important promise we are making, not to touch health care." Yet it starts to get repositioned.

What we hear is, "The commitment really is that when we go back to the people in the next election, the budget will be \$17.4 billion." Nothing about what's going to happen now in 1996, 1997, 1998, 1999. That's not what the Premier and those of you opposite campaigned on. It's not the commitment you made to the public. But we sensed, with that dramatic shift and repositioning of the commitment, that there was bad news to come in the economic statement that was tabled last week. Of course,

there it was: cuts to health care spending in the major transfers to hospitals, \$1.3 billion out of that \$17.4-billion sealed, protected envelope that no one will touch, not a cent, "not a penny"—\$1.3 billion cut to the hospital transfers.

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We hear some vague promises about: "This money's going to be reinvested. We know there has to be restructuring and reform in the health care sector, and the money we save we're going to reinvest, but we're going to do it wisely, because we're going to save the money first, before we then plan to reinvest it."

**Mr Preston:** That's novel.

**Ms Lankin:** The member opposite says it's novel. In fact it's not novel. There have been many other plans. If you'd take a look back, sir, over the last five years and take a look at the health care budget and take a look at the plans for savings and reinvestment and take a look at, for example, in long-term care, the \$20 million to be reinvested from chronic care into long-term care community services, in fact those dollars were not expended until the mechanisms were put in place to take the money out of the hospital sector. So please, no lectures on that.

What is so dishonest about what's being said is that there isn't a plan for the reinvestment of those health care dollars in 1996, 1997 and 1998. We don't know where the priorities are. There is a desperate need for restructuring in the health care sector. I said this the other day in the House, to the applause of some of the members opposite. I profoundly believe that there is a need to restructure our hospital services, our institutional services, and to move resources from the institutional sector to the community sector, from the illness treatment end of the system to the health promotion, illness prevention front end of the system.

**Mr Hastings:** Now you are contradicting yourself.

**Ms Lankin:** The member for whichever Etobicoke you're from over there is bantering away and interjecting with inane comments. For two years as Minister of Health, I preached the need for this kind of restructuring and reinvestment to take place. I believe profoundly in that need for restructuring. But when you go the one step, to restructure the hospitals and take money out, you have to have, lockstep with that, the reinvestment in the community. We're not seeing that, and this is very frightening.

Communities like Windsor undertook a restructuring, first of all, of their hospital system but then broadened it to understand the whole health system. That is the key. You have to look at the whole health care system, because health care is not doctors and hospitals. That's only a piece of the system. You have to look at the broad spectrum of what's involved in the delivery of health care services and at what's involved in keeping people healthy. I'll talk a little bit later about the determinants of health, many of which lay outside of the \$17.4-billion health care budget.

But within that health care system, you have to look at the whole system. In Windsor, they went through an incredible process of community consultation, of examin-



ation of all the services on the community level and the hospital level, and in the end they came to the conclusion that they could move from four acute-care hospitals to two acute-care hospitals.

Along with that, however, there needed to be a commitment from the government, which they had from the previous government, for two things.

The first was that the money saved in the hospital operating budgets, from that kind of merger, restructuring, amalgamation, would be reinvested in the very, very needy areas of community service, to take up the slack—not a very good expression, actually, because in this case it's a very important need—to take up the demand that would be created and, by the way, in the long run to provide more cost-effective and better-quality health care in terms of the whole spectrum of health care services, fewer gaps.

The other commitment made was that there would be the capital dollars to actually rebuild the physical plant, the bricks and mortar of the two hospitals, to reconfigure them when you're merging four hospitals down to two.

Well, the commitment on the capital dollars is now gone and it appears that the commitment on the reinvestment into the community services there is now gone. How can that community move forward?

Let's go to another community. Let's take a look at Metro. Metro, the largest hospital system in the province, has undergone a huge restructuring report looking just at hospitals here. They have commented on and will comment in their final report on the needs at the community level, but the restructuring was unlike Windsor, which was more a whole health system review. Here, it was a hospital restructuring report.

They have come, through the district health council process and an immense consultation, to the conclusion that a number of hospitals could actually be closed, but attendant with that is the need to merge certain hospitals, to relocate certain services, to ensure that the coverage across the whole Metro area is appropriate. But they will tell you, and I suggest you listen very carefully when their final report comes down—we anticipate it some time this week; it's at the printer now—that unless you take that money that will be saved and reinvest it in the community, unless you do that, you do more damage than good to our health care system and to the health of the people in Metro Toronto.

They have taken it a step further, because they've worked very hard to develop an actual plan for the restructuring and how you take the steps and phase in the savings in one area with the reinvestment in the community so that you're not out of step in providing that service. It's tremendous work, but how does it fit within the statement we heard last week from the Minister of Finance?

Well, it doesn't fit very well, for a couple of reasons. The Minister of Finance announced that there will be \$1.3 billion in cuts in the hospital sector.

**Mr David S. Cooke (Windsor-Riverside):** Plus the cuts made in July.

**Ms Lankin:** In addition to cuts that were made earlier, in July, as the member for Windsor-Riverside points out. That \$1.3 billion is coming out over a three-year period.

The hospitals were quite surprised, actually, that it wasn't put out a little further to give them time to get some of these restructuring plans working and in place if they were going to have to take that big a cut. But there's been no information to them about how that's going to be applied. Is that 18% across the board? Is every hospital going to have its budget reduced by 18%, the first amount of that being 5% next year? Is every hospital going to receive that cut? If you do that, you totally throw the cooperative work and consensus-building of restructuring out the window—totally throw it out the window.

Also, let me tell you, I know from the time I was in that portfolio that medium-sized hospitals will close. They can't absorb that kind of cut. You have to go through the restructuring of merging services, of understanding where efficiencies can be found. You've got to do the proper work. If not, you end up with whole areas of medicine falling through the cracks and people not having access to those services.

So the minister puts in place a provincial restructuring commission to do what? From the ivory office of Queen's Park to pick and choose which hospitals will close, where services will go, where the cuts will be taken? I surely hope not. What a nightmare. If you believe that the capacity to make those kinds of decisions wisely rests within the Ministry of Health, you are sorely wrong.

That is not at all to denigrate the fine people in capital planning and health service planning and all the very important contributions they make to the health system in this province. But believe me, they would be the first to admit to you that sitting here in Toronto, in Queen's Park, they can't tell you how to restructure the community and hospital services in communities like Thunder Bay and Sudbury and Ottawa.

They can't make those decisions without the input of people locally and without the appropriate studies being done, without understanding the demographic changes, the health needs of the population, what services are there, what's missing, where the gaps are, what excess capacity there is. You can't do that out of Queen's Park, but that's what the minister's setting up for himself, a provincial restructuring commission that reports to him and a little piece of legislation buried in this omnibus bill that gives him the unilateral right to close hospitals.

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The safeguards that have been in place over the years are there for a reason. The reasons that we built up district health councils over the last 10 years and gave them more important powers and more important avenues of advice and input into health planning in their regions and the ability and the resources to do the studies to give the appropriate advice was for the very reason that you needed to have local people involved in this. You needed to have people from the communities examining their own health systems. You've taken that away.

If you ram through this legislation in eight days and give the power to a restructuring commission and unilateral power to the Minister of Health by regulation—your Minister of Community and Social Services signed a regulation that inadvertently took away benefits from thousands and thousands of disabled people and said, “Whoops, guess you didn’t read it.”

I don’t mean to make light of that situation, but please understand, on the desk of any minister on any given day the volume of materials and the background materials and what you have to go through—the checks and balances are in the system for a reason. That’s why you have public input. That’s why you go out to the community. That’s why you get the people who know best how things are being delivered: to have a reasoned debate about the changes that need to be made.

You cannot take out \$1.3 billion from the hospital sector without investing in the community end of the health care system and not seriously damage our health system and the health status of our population. You cannot do it.

Maybe this comes back to your commitment. You’ve promised not to do it, you’ve promised to reinvest it, but when? What are the reinvestments that we’ve seen so far? Because the minister likes to make much of this in his comments in the House and answers to questions. Remember what’s been cut? In July \$132 million; \$1.3 billion in cuts to hospitals announced last week.

So what have we got? We have some dollars for treatment for specific injuries, like acquired brain injury. That’s good. We have some dollars for treatment of specific illnesses, like kidney dialysis. That’s good. We have out-of-country OHIP reinstated to \$400 a day. I think there’s a debate that could be had about that one, but, okay, that’s your priority; you’ve chosen to do that. That total reinvestment: Do you know how much that adds up to? Anyone, quickly?

**Mr Wettlaufer:** I’m sure you’ll tell us.

**Ms Lankin:** Sure, I’ll tell you. I’m surprised you don’t know, those of you who know this stuff inside out, who every time we get up and say anything tell us that we don’t know what we’re talking about, that you know what you’re talking about: \$70 million, out of \$1.3 billion. That leaves \$1.23 billion being cut and \$70 million being reinvested, and, by the way, not in the expansion of the community services.

You have stopped the planned expansion of long-term-care services. The dollars that were there to implement greater services in the community you’ve stopped. At the same time you’re making cutbacks in hospital budgets. You’ve taken away levels-of-care funding, the whole system that was being put in place. How are you going to decide what cuts you’re going to make to chronic care hospitals and long-term-care facilities? You’ve taken the mechanisms away. You’ve stopped the expansion of the community services. You’ve taken \$1.3 billion out of acute care hospitals.

This is very frightening. There is no plan here. There is no plan, and this is too important, in the words of your own Premier, this is much too important an area to be

proceeding in such a piecemeal, out-of-control fashion. Well, that’s how it appears to me. I see the member shaking his head, but that’s how it appears to me. I spent some time inside this portfolio. There isn’t a public policy area that I care more passionately about than the future of our health care system and the need for the reform and the restructuring that must take place and where we need to get to, and I don’t see a plan to get us there.

Let me just raise one other thing about this \$1.3 billion and this soft commitment for the reinvestment of that. I had the opportunity on Thursday to ask the Premier this question, because it truly is troubling. If in fact the plan is to reinvest those dollars, where is that in the fiscal plan in that economic statement?

Let me tell you what I mean by that. You have a projected deficit next year of \$8.2 billion. When you look at all of the numbers in the document, you get to that number when you count the cuts to hospitals. If you’re going to reinvest that money next year, your deficit’s off, or you’re going to have to take huge cuts in another area, and the Minister of Finance seemed to suggest that there may not be more cuts coming. I think you’ve got your answer and I think you should be going into your caucus meeting and demanding to get it a little more up front.

That money is applied directly to deficit reduction, the money that has been taken out of hospitals. It isn’t there and available for reinvestment next year or the year after or the year after. We’ve got a three-year plan there—\$1.3 billion applied directly to the deficit number. It’s gone. You don’t have it for the reinvestment unless you take dramatic cuts elsewhere to make up for it, which, if we put enough pressure on you, maybe you’ll have to do. There may be some scrambling around this. But please, don’t stand and tell us that \$70 million out of \$1.3 billion in cuts is proof positive of a planned reinvestment strategy. It’s not there.

**Mr Cooke:** Surely the tax cut’s in that \$8.2-billion deficit?

**Ms Lankin:** I know the member for Windsor-Riverside wants me to talk about the tax cut. That’s actually much later in my 90-minute presentation. I’ll get to it, okay?

What I want to talk about next is the commitment on user fees. Again, during the campaign I’m sure you heard—I know I heard, I know the constituents in my riding heard—the Premier say over and over again: “No new user fees in health care. No new user fees in health care.” It was almost like a chant. You know, you could be at some kind of a game with cheerleaders going, “No new user fees.” It was a mantra. It was well-received, no doubt about it. Seniors really liked that. They believed that gave them protection, particularly for their drug benefit plan.

In the Common Sense Revolution, in the document that had been out for over a year, it says very clearly on page 6, “Under this plan, there will be no new user fees.” You heard the leader of our party today quote from your Premier in 1993, where he said: “A copayment is a user fee. A fee to parents is a user fee. I want a public debate on user fees.” He went on in the campaign to say: “There will be no new user fees. This is too important. Health



care is the single most important promise we're making. No new user fees."

I hope I'm having an effect, because what do we see? On the day of the dawning of the new world in Ontario with the release of the economic statement last week, we saw user fees in health care, in the drug benefit plan.

I've heard a lot of defences of it. "There are copayments in every other province," many of your members say, but that wasn't your promise. "Maybe it'll help stop seniors from taking too many drugs." I don't believe that. But it doesn't matter; it still wasn't your promise. Your promise was, "No new user fees," and your economic statement introduced user fees.

This is one where you started to waffle a little bit before the economic statement too, sort of knowing that it was coming. Your Minister of Health was quoted as saying, "If we ever do introduce user fees in the Ontario drug benefit program, we'll do it in such a way that poor seniors and the disabled are taken care of and are not hurt."

Is that what you saw? Do you think the fact that every senior, irrespective of income, has to pay \$2 for every prescription, every disabled person who is currently in receipt of social assistance benefits and therefore enrolled in the Ontario drug benefit plan has to pay \$2 for every prescription—

**Mr Douglas B. Ford (Etobicoke-Humber):** They do across the rest of Canada.

**Ms Lankin:** Here we go again. "They do across the rest of Canada. They do in many other provinces." Granted. Boy, oh boy, I guess you weren't here when I used to give answers like that as Minister of Health and looked at what was going on in other provinces. It doesn't seem to matter, the fact that you were the guys that made the promise. Why don't you understand that?

In light of the knowledge that there was a fiscal problem, in light of the knowledge that every other province had copayments, you went out and said: "We can do it. We can do it all. People of Ontario, elect us, elect Mike Harris and his team, and you can have it all. You can have a balanced budget, you can have a tax cut and you can have no cuts in health care and no new user fees." That's the promise you made.

You boxed yourselves in from the beginning. You boxed yourselves in so tight that your Treasurer is scrambling like a little mouse trying to get out of a box to get out of this box that you've boxed yourselves in. A box is a box is a box, and you're in it, my friend. You're in it up to your eyes, let me tell you. You made the promise. It is incredible that you won't accept the responsibility for the fact that you made the promises. You said everything could be done.

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#### *Interjections.*

**Ms Lankin:** You know, it's interesting in terms of the interjections that come back across the floor. I'd really like once for you guys just to try and defend your own record on this. Did you not make the promise? When you went to the door, did you make that promise? They've gone quiet, Mr Speaker. I'll address my remarks through you. All of a sudden, no interjections. Interesting.

The user fees that you have introduced are a direct contradiction to the commitment that you made in the Common Sense Revolution and that the Premier made. It's a direct contradiction of the commitment not to have adverse impact on seniors and on the disabled. It's a direct contradiction of the commitment made by the Minister of Health as recently as a month ago where he said if there were user fees, they would ensure that it didn't hit poor seniors and the disabled, and it does.

I mean, you're scrambling. Clearly you're moving so quick, so fast, so ideologically bound to this Common Sense Revolution that you're causing incredible problems for yourself and, may I say, because I don't quite frankly give a darn about the problems you cause for yourselves, what I care about is the problems that you're causing for the people of Ontario and the impact of this on the people of Ontario and what it means to their lives, to their families, to their neighbourhoods, to their communities, to their cities, what it means to the health of our province overall, and I worry very much about that.

Let me talk about another area of commitment that you made in the Common Sense Revolution and during the election campaign, and that's that any of the cuts that you took wouldn't affect classroom spending. Not, "We're going to take cuts and we hope it won't affect classroom spending." Not, "We're going to take cuts and, gee, we know people really care about classroom spending out there and so those school administrators will make sure." None of that. It was unequivocal, absolutely unequivocal: "The cuts that we take will not affect classroom education and classroom spending."

Do you realize that your Minister of Education doesn't even know what percentage of money is spent in classroom and doesn't even have one definition of what is classroom spending? He admitted it. Did you hear that, in answer to a question? He admitted it. He sent out a letter, in fact, to all the boards saying: "Help us. Send in your information. We've got to compile this."

But you took the cuts before you even had that information, and when we look through the document to try and find what are the controls, we see you're going to sit down and talk to the school boards and hopefully persuade them that it won't affect classroom education. You don't have a clue what you're dealing with there. How are you going to make these cuts?

Let me come back to the transfer partners not having any better sense of what it means for them when they're setting their individual budgets. That \$400 million, that almost 10% in cuts to schools, to elementary and secondary schools, that you made—it's only one year of cuts, by the way. I should point out that we don't know what year two and year three will be in that area, unlike health, hospitals at least, where we know what the three-year cuts will be. In schools we only got the first year and they told us there's more to come and we'll find out about that.

So the almost 10%, \$400 million: Can any one of you answer? Is that right across the board? Is that sort of 10% of every school board? Is that how you're doing it? Is it more than 10% then for some school boards?

What about for Metro? Well, Metro doesn't get any general legislative grants from the province. So maybe we've got to take all of that whole large area out of the equation. What about Ottawa? What about Hamilton? If these large areas get little or no support through the general legislative grants, does that mean the \$400 million have to come out of the rest of the school boards? Does that mean some school boards are going to have as much as 12%, 20%, 40% of their GLGs cut in order to make up this amount?

That's exactly what it means if you're saying it's not going to be done across the board, and one of the members opposite said to me, "No, it's not going to be done across the board." So in your communities—small, rural, northern communities, southwestern Ontario, eastern Ontario—whoever's listening, watching this program, it may not be the 10%; it may well be 20% or 30% to your local school board. Stay tuned; that's only year one.

You tell me how school boards are going to do that and not affect classroom education and classroom spending. In fact, the Premier said, "Not a penny would be cut. Classroom spending is sacred," right? Now we see the document, it's not sacred any more. Now it's the best effort—"We'll try and convince them not to cut classroom spending." That's not the promise I heard during the campaign.

Let's talk about another level of education. Let's talk about post-secondary: a 15% cut to colleges and universities. That's in year one. There, again, we don't know what the long term is going to be. But in addition to the cuts that you've taken, you've also said, contrary to the Common Sense Revolution, that universities, for example, will get an automatic 10% increase in the tuition that students will have to pay and another discretionary 10%; they can take it up to another 10%.

I heard members earlier, in response to that, say: "You don't know that they're going to do it. It's only 10%. That's all we're responsible for." Let me tell you, on Friday I was in North Bay, in Premier Harris's own riding. What did I hear on the radio that morning, just a day and a half after the economic statement? Nipissing U—tuition's up 20%. They took the additional discretionary 10% just like that. That's happening in university after university across this province.

**Mr Jim Flaherty (Durham Centre):** So what?

**Ms Lankin:** So what? Okay.

Now let's move away again from, do you agree with a 20% tuition fee increase or do you disagree with it? Let's talk about the Common Sense Revolution and let's talk about your commitment in there: "We'll keep it to moderate increases in tuition." Can you sit there with a straight face and say that a 20% increase in one year at Nipissing University in Premier Harris's own riding is a moderate increase for those students?

**Mr Ford:** Are you advocating a free ride for everybody?

**Ms Lankin:** Now the interjections come again. "Do you advocate a free ride for everybody?" was the member's question opposite.

**Mr Wettlaufer:** You raised them 42%.

**Ms Lankin:** No, I'm not talking about me; I'm talking about you. You said everybody could have it all. You said you could have a balanced budget, you could have a tax cut, that there wouldn't be other increases in municipal taxes—you'd stop that—that you could protect classroom education, that you could protect health care. You're the ones who said it. You're the ones who said, "We'll make sure it's only a moderate increase."

I'm not advocating anything here in terms of a free ride. I'm talking about your commitments. I'm talking about how, day after day, you're breaking all of your commitments; and you sit there and defend it by attacking the previous record, the 10 lost years, as you call them. I often wonder what happened to the 42 forgotten years, but anyway, that's your defence.

Why don't you defend your own record? You made these commitments, and if you're not going to live up to them, then why don't you say it? You know what? There is nothing wrong with saying: "You know, we made a mistake. We didn't understand. We got into government. We understand it's more complex than we thought in this inane little document called the Common Sense Revolution. Now it's not about politics, it's not about campaigning, it's about governing, and we're going to make good decisions for the people of Ontario."

That's not what you're doing. You're implementing an ideological agenda, taking it page after page even though it doesn't make sense, and then you sit here and defend it by attacking the opposition's past record. It's quite amazing. You make commitments and then you turn around and refashion those and say, "Oh yes, we're still meeting our commitments."

Do you know what's so upsetting about it? Perhaps I shouldn't let this upset me, but Mike Harris was so—Madam Speaker, you're going to have to help me; I don't know if this is parliamentary—sanctimonious in his approach about being a straight shooter, a solid guy. He had all the answers and he was going to deliver and he wouldn't back down from his promises. He even signed a promise that, "If I break any one of my commitments, any one of my promises, I'll resign." Well, he's done it every day that I have been sitting here for the last two weeks at least, if not before, and he hasn't resigned yet.

1640

It's really tough to take. "Boy, I'm a different kind of politician." "Boy, I'm better than the rest." "Boy, I know the answers and you're going to get the straight goods from me." It's Mr Tough Guy. There was a skit once where he was portrayed as the Taxfighter, the hotshot with the guns. Well, the hotshot with the guns didn't have the answers and the commitments he's made he's breaking daily. The people of this province are the ones who are going to be suffering as a result of that.

Let me tell you about another commitment that—well, you know; you all made it. You were all on the doorstep saying: "Not only will we not touch health care, we won't touch classroom education, we're not going to touch law enforcement. We're going to protect that because that is important. Our communities are not safe and we need to have that law enforcement budget. It has to be protected. We're going to do that."



Can you tell me how you've done that? You made a cut to municipal transfers of 43% over two years, and you're moving it into a block grant with no strings attached. So you're saying that you're devolving all of the decision-making—oh, tough decision-making, by the way—down to the municipalities so that they're the ones that are going to have to sort through this and understand what they're going to be able to do in their budgets or not, and you've done nothing to ensure that the law enforcement budgets are intact. So if Metro ends up taking any of that money out of the policing budget, guess what? Law enforcement's not intact. And you haven't lived up to your promise.

Do you remember saying that? "You can have it all." Let me go through it again, all right? "You can have a balanced budget. You can have your tax break. We won't touch education, we won't touch classroom spending, we won't touch law enforcement." I probably know it as well as you do, I've heard it so often. You've broken every one of those. You haven't protected law enforcement.

I remember something else in the Common Sense Revolution. It says that you're going to make sure that the spending cuts that you take don't result in municipal governments raising property taxes. It's very clear in the Common Sense Revolution. It says, "They will not raise municipal taxes. We will ensure...." Look for the words. I can see my honourable friend opposite digging out his copy. In fact, look, it says, "We will ensure."

I'm waiting till you find it. Oh, you stopped looking for it. Okay.

"We will ensure that they will not raise municipal taxes." What did you do in that economic document to ensure that municipal taxes won't go up? Nothing. In fact, you've given more abilities to the municipalities, not just to raise the taxes, because you didn't have the right to stop that unless you introduced legislation—you could've put that into the omnibus bill too, but I notice that wasn't there. You centralized a lot of other powers, but you didn't do that.

So the one commitment you said you would do, you would stop municipalities from raising municipal taxes as a result of the cuts, you didn't do that. You've taken other powers away from them, but you didn't do that.

What you did in that bill was, you gave them the power to raise user fees for a whole range of things: parks, garbage collection, recycling. Name it; you've given them the power.

Do you remember, just not long ago, question period, the leader of our party quoted your Premier in 1993 talking about user fees? You'll find it in the Common Sense Revolution and through the campaign: "A user fee is a tax. We will not let taxes go up." You're not going to let municipal taxes go up, you say, but you are. You're not going to allow new user fees to come in, which are just another way of putting taxes on people, but in fact your legislation opens up the door for municipalities to do just that. It says it's open season: "Go, charge whatever."

How is this consistent? How are these actions in the economic statement consistent with the commitments that you made? Well, they're not. Quite frankly, I understand

why they're not. I understand the box that you got yourselves in, but boy, I'd just like it if you'd admit it, instead of all of this sort of waffling that's going on and backing out and explaining and spin-doctoring. You know, just come clean and admit it. You are breaking—

**Mr Cooke:** What was the phrase in the crossword again?

**Ms Lankin:** The phrase in the crossword, Saturday's Star, number 123 down, the clue was, "Was inexact, on purpose." The answer: four-letter wording starting with L, in the past tense. I'll let you look it up.

**Mr Cooke:** No, you can say it.

**Ms Lankin:** Can I tell you what the answer was?

**Mr Cooke:** Yes.

**Ms Lankin:** Well, I'm going to let people guess, particularly those who are crossword fans out there. They might want to go back and take a look at that: "Was inexact, on purpose." I think you were inexact, on purpose, in that campaign. Maybe not those of you individually who believed that the leaders of your party and that the architects of the Common Sense Revolution had got it right and had put it all together, who believed in the magic of the formula that was there and went out and sold it like good troupers, but I think you're finding out that you got sold a bill of goods. What's a worse sham is that the people of Ontario were sold a bill of goods during that election campaign.

You touched hot buttons and got people upset about employment equity, and you touched hot buttons and got people all upset about all those welfare cheats; everyone was a cheat. And then you said, "But you know, we can fix it all," and you gave the promise again: "You can have a balanced budget. You can have a tax cut. More money back in your pocket. And we won't touch health care and we won't touch classroom education and we won't touch law enforcement." And your Premier, at the OFA conference, said, "And we won't touch agriculture." Well, you've seen the cuts in agriculture. I mean, it really was a promise that, "You can have it all."

But the member opposite asked me, "Do you believe in people getting free rides?" Well, we all know there are no free lunches and people are realizing that they were sold a bill of goods, sold a promise of a free lunch, and that the free lunch is not coming, and in fact, beyond that, they're going to have to pay a heck of a lot.

You know, there are cuts yet to come. I don't know if you noticed in the economic statement that the range of cuts is somewhere between \$4.5 billion and \$5.5 billion. It's pretty inexact. That's a little bit of a \$1-billion slush fund or leeway there. It's quite amazing to give that kind of range in terms of what you're doing, but there are a couple of reasons for it. In the document itself there are at least three or four areas of spending cuts in which you've just identified how much you want to cut and you don't have the plans for how to go about cutting it. So in your own ridings that you represent, you don't know yet what the impacts of this unknown, unspecified amount of money are going to be.

I would argue that you don't know exactly what it means in terms of the hospital cuts, exactly what it means

in terms of the municipalities. You're going to have to wait and see how that folds out. But you've got a general sense. You've got a sense of prediction about what that's going to mean in your own communities.

But there are other areas here where you really don't have a clue what it means because it hasn't been specified. You might have remembered that just before the economic statement, the Chair of Management Board introduced a document or a statement in the House where he talked about \$300 million in administrative savings from the administrative internal budget of government, and he talked about how we're going to look at things like consolidation of information technology departments and payroll administration, but the plan wasn't there. There were no specifics in that announcement. I'd like you to go back and take a look at it. All it was was a ballpark, a goal, a target of \$300 million.

Well, there is more. If that wasn't shocking enough, to actually take that and include it in the deficit—remember, this is from the government that stands up and says: "We're going to get our savings first before we plan to reinvest them in health care. We're very clear and methodical. We're not going to count our chickens until they hatch. We're not going to count our savings until we know where we're going to achieve them." Well, there's \$300 million with absolutely no plan. It's just a number. It's just a target. If that wasn't surprising enough, what did we find in the economic statement? Another \$1.1 billion on top of that to be saved from internal government spending—ie, not the money that you transfer to transfer partners out there, not the money that is given to individuals through benefits or whatever. Right?

In the internal government spending, \$1.1 billion is in fact what you said you're going to find, and you know what you've identified so far? Well, \$4 million from land registry offices and \$10 million from overhead at the Ministry of Economic Development and Trade, which has virtually lost all of its program areas, so you're taking that money out of administration. But it's \$17 million that you've identified. Out of the \$1.1 billion plus the \$300 million, which is \$1.4 billion, you've identified \$17 million.

1650

You should be shocked by this, because you've got to realize that those cuts, as they come, are going to affect fundamental services in your communities to your constituents. The people delivering them, the people who work for the Ontario government, who deliver the services on the front line, will be losing their employment, will not have the money to spend at the corner store, so the local economy will be affected.

It's \$1.4 billion, and you don't have a clue where those cuts are coming from. This is the government that says: "We're going to be clear, we're going to be straight with people, we're going to let everyone know what's going on. We're not going to count our chickens until they hatch. We're not going to just set out numbers that we don't have a plan to reach." Holy mackerel—\$1.4 billion unknown.

Those are two of the areas. As I said, there are four areas.

Government grants: You set a range, including minor transfers and program grants. You've still got areas to find in terms of grant recipients that are going under review. We don't know whether that means greater cuts to social service agencies that have already had a 5% cut, and how many of them are going to have more. Your ministers have often answered questions saying, "Oh, we're going through that review." You don't know yet. That's another area where we don't know how much is going to be achieved.

Agencies, boards and commissions: You've set \$220 million in reductions over two years. You know how much you've identified? Twenty-five million. You have another \$195 million to find.

These are really loose targets. I'll tell you, the bond rating agencies shouldn't be so sure of your commitment. You haven't done some of the tough stuff yet. You've made the global announcement, you passed the buck to the transfer payment agencies to do the tough work there, but in your own backyard you haven't identified those cuts yet.

Those cuts are going to have a dramatic effect on this province, on the delivery of services, on the people employed there who deliver those services. It's going to cause a drag on the economy, put thousands and thousands of people in the Ontario public service directly out of work, thousands and thousands in the broader public sector, and the spinoff effect on the economy will take that number upwards of 100,000 people. As a result of your economic statement, 100,000 Ontarians will lose their jobs.

That brings me to the whole issue of jobs. It makes me ask, where is the commitment to jobs? I heard it during the economic statement. I heard the Treasurer say, "Ontarians...deserve a plan that supports job creation." That was page 6. On page 1 he said, "Ontarians want jobs." On page 29 he said, "There is only one real basis for restoring Ontario's fiscal health: people at work in productive jobs." You know something? I agree with every one of those statements. I agree with every one of them.

The problem is that there is nothing in this economic statement to create jobs. In fact, all this statement does is kill jobs. Look at the cuts. Look at the jobs attached to that. Look at the economic spinoff of those jobs. Look at the drag on the economy. Look at all the cuts to business programs like sector partnership, which is not a direct subsidy of an individual business but was a program to bring companies and unions and government together to plan for greater competitiveness of various industrial sectors of our economy—gone. All the good, forward-thinking work they were engaged in and were pleased with and saw results producing jobs—gone.

This is not a government that has committed itself to the creation of jobs. The only concrete job creation initiative—I use those words very loosely—you even talk about is the 30% income tax cut. We have to really stretch our imaginations on this side of the House to understand how a 30% cut in income tax is a major job creation program. Let me just step through this.

I guess the premise on which the Treasurer suggests that is that if people don't pay as much in income tax,



they'll have more disposable income and they'll spend more of that income in the economy. That'll create a consumer-driven demand and therefore there will be an economic glow from that which will create jobs. That's the only cycle I've heard explained.

**Mr Preston:** By Jove, I think she's got it.

**Ms Lankin:** The member says, "By Jove, I think she's got it." By Jove, I think you don't, because it doesn't work. Let me take you through that cycle again.

Let's talk about who is most likely to take any disposable income they have and spend it in the economy. If you were going to stimulate the economy by consumer spending, if you wanted to change incomes and tax structures to promote that, what sector, income level etc would you look at to provide the greatest stimulus? That is, which sector would, with any money they get, likely dispose of it in the economy in a way to stimulate consumer demand?

Probably the largest group you would look to are the social assistance recipients that you've just cut by 22% in terms of their benefits. That's money, by the way, that you've taken directly out of the economy. That's money that's not being spent in the local store and in consumer goods of any sort. People are having trouble putting food on their table, let alone paying their rent and having a place to live. Do you think any additional money they have is going to go into some savings fund someplace, in the bank? It's going to be spent.

Now let's move up. Let's talk about if you're going to use the tax system. Of course those people are not paying income taxes. They are paying sales taxes, and that's another whole issue, but they're not paying income tax. Perhaps that was unfair, if you want to use taxation as a tool and that's the approach you want to take.

Now let's take a look at the various income levels.

At a low-income level, where you're still paying taxes, still on the tax rolls, wouldn't it make sense to shift the taxation to give them more of a tax break? Isn't it more likely that would be spent more quickly into the economy and create that consumer demand and create the demand for goods?

Or what about middle-income Ontarians? Middle-income Ontarians are the ones who've often talked about feeling the brunt and the weight of this. They don't have all the tax loopholes that the wealthier have. They don't have all the ways to get breaks from the tax system to write off this investment or that investment, these capital gains. None of that's available to them. They've seen over the last number of years constraint on services while they're still paying all those taxes. It's certainly been a shift in the mindset in the middle-income group about: "Is this all worth it? Where's this all coming to?" What if you gave them more of a tax break? What would happen there? Do you not think more of that would go into the economy?

But that's not your plan. Your plan is—well, do they have a plan? That's hard to tell after the Treasurer's statements for the last few days. But in the Common Sense Revolution and according to the Premier today they have a plan, and that plan is 30% across the board. It

doesn't matter whether you're a low-income, a middle-income or a high-income taxpayer, you're going to get a 30% cut in what you pay. You know what those numbers are, I'm sure; I think you've heard it. But without going into the detail of the numbers—because I'm not sure that matters as much as the concept—if you are very wealthy and pay high income tax, the 30% of your income tax is worth a heck of a lot more than the 30% of someone who's earning \$20,000, \$30,000 or \$40,000 a year.

But there's another piece you've got to put in, and this is where the dishonesty of the promise comes in. For that middle-income earner who thinks they're going to get \$600 or \$700 in a tax break next year—that's about what the numbers work out to that were committed to in the Common Sense Revolution—you know what you haven't factored into that? When municipal taxes go up as a result of your government's cut to transfers to municipalities, when the municipality puts a user fee on the blue box system because you cut the recycling grants, or on garbage pickup or any other area, because in your omnibus bill you give them the right to put user fees on anything to raise new revenues at that local level, add all that up with, "Oh, by the way, if you want to send your kid to university in Mike Harris's riding, Nipissing U, it's 20% more in tuition fees."

Start adding tuition fees together with increased property taxes, together with user fees, and that \$600 tax cut that I, as a middle-income earner in Ontario, am expecting to get has been spent long before the minister's even had his budget and introduced it. It's gone.

1700

Who is going to benefit? We're talking about the people with the highest incomes in this province. What do you think they are going to do with that income tax rebate they get, that additional nest-egg of, in some cases, \$10,000, \$20,000 or \$30,000 in less tax they have to pay? What do you think they're going to do with that? Do you think they're going to fuel a consumer-driven recovery in the economy? That money's going to go into investments, into stocks, into bonds, much of it offshore, into vacations and into purchase of luxury items. Those are all wonderful things, but they don't create local demand in the economy.

I just walk through this because this is one of the most inane premises that's been put forward, that this income tax cut is somehow going to spur the economy and create 725,000 jobs. I remind you, that was your commitment. Your document says that in the next three years you're only going to create just a little under 200,000 jobs. I don't know where the other 525,000 are going to come from in year four of your government so that you can meet that commitment. It's extraordinary. No one looking at that could take it seriously. It is truly laughable from any economic analysis. Call in the Fraser Institute and they'll tell you that's laughable. So your job commitment's gone too.

Let me back up again. Where did I start? Premier Harris on the campaign trail, all the Tory members in their ridings, saying: "You know, Mr and Ms Ontarian, you can have it all. You can have a balanced budget, you can have a tax cut, and the cuts won't affect education in

the classroom and they won't affect health care and they won't affect law enforcement. You're going to get this tax break and it's going to create jobs. There'll be 725,000 new jobs and everything will be wonderful." And it was all a sham. It was all a sham.

**Mr Preston:** You are repetitive.

**Ms Lankin:** The member says I'm repetitive. Holy mackerel, the mantra of the Common Sense Revolution has been repeated in this province day after day after day. In this Legislature, since we've been sitting, it doesn't matter what question you ask, the answer you get back is the Common Sense Revolution. Want to talk about repetitive? The way to get a message out—and you are effective communicators, there's no doubt about that—the way to make a point is to repeat it, is to illustrate it, is to go over and over it. With all due respect to my friend, I intend to continue doing that.

The last area I want to touch on before I sum up is the whole area of the omnibus bill that has been tabled in this Legislature. I think many people will know the story. I myself, as Finance critic for the New Democratic Party, was in the lockup for the economic statement.

People might not know what that process is. I know there are some new members, one in particular, who said: "Huh, your fault. I was here." I'll tell you, when I was a government member I used to go to the financial statement and budget statement lockups because it was my duty and responsibility to come out of this House and be able to explain what was in that document, to call my local community and meet with groups that night and share that information with them. I believe that is your responsibility as well, as an elected member representing a constituency.

In any event, there is always some secrecy around these documents until the time the Treasurer stands up and actually delivers the statement. It's hard to know why there was with the economic statement. Usually those rules are there because there's tax information or whatever, and it could be of some benefit to someone if they knew in advance what those changes would be; they might be able to cash in in a big way on that. So there's secrecy around it and protection. It also, of course, provides the government with an opportunity to structure its own communications opportunities, which every government would want to do in terms of presenting that information to the public.

There we were, many of us, in the lockup going over the statement, meeting with officials from the Ministry of Finance, asking questions about it, trying to understand it, becoming very familiar with how unclear it actually was, how there was no real information about the nature of some of the cuts and that there were just targets and goals; how in terms of the bottom line on the deficit of \$8.2 billion there was no room for reinvestment of the health care dollars that we had been told by the Premier was what the intent was; how the tax cut hadn't even been factored in in its entirety in terms of its cost. If you're to stick to the plan in the Common Sense Revolution, none of that was there.

We were going in and asking all these questions and trying to understand all of this so we could go back and

talk to our constituents and so we could raise questions here in the House.

The Chair of Management Board stands in his place and tables a bill, the most phenomenal omnibus bill that has ever been seen in the history of the province of Ontario. The Finance minister and your government House leader stood in his place today and chanted off about a previous bill that affected some 100-odd acts, whatever. I really urge new members to go back and take a look at that, to take a look at the nature of those amendments, the housekeeping amendments that were brought together, to years and years of the ministry wanting and needing minor amendments to pieces of legislation and there never being enough legislative time because governments of course are going to deal with their priority; putting it all together, sending it over to the opposition party, saying: "What do you think of this? Do you agree? We think these are all minor," having the Liberal opposition party at that time raise concerns about a couple of areas, saying: "No, we don't think this is so minor. We want this separated." We said, "Okay, fine." We pulled that out, then we proceeded, all-party agreement, to do routine housekeeping. That is nothing like the bill that was tabled here in the Legislature.

I don't know if you've even all had a chance to read it yet, because it wouldn't have been printed in your books until today, but this is what was tabled as the actual bill. Along with that there were compendium documents. The compendium documents, together with the bill, stack this high. May I mention that many of the acts that are being amended weren't included, so you've got to get them and it would probably take it from there to there.

You've got to go through all of that in detail, if you're doing your job, to understand what the impact of those cuts is. Do you have any idea, guess even, at how long it would take to have a good understanding of that piece of legislation, to look at all the compendium documents? Have you tried to figure that out? We took a look at it and each of the sets of documents, the compendium documents, and even the original tabled version of the bill are not numbered consecutively through, so we had to do some work at trying to figure out what exactly is there. But we believe that it's over 2,200 pages, and that's not even with the full text of the acts that are being amended.

We tried to do a little bit of work, just some assumptions. If you assumed that a member of this Legislature can read dense, legislative text, legal references, amendments to other acts—you've got to pull it out and read it to understand it in the context—if you figure they could read that and understand it and absorb it quickly, at the rate of about 30 pages an hour—is that unreasonable? I don't think so. In that case, just to read this material that you have tabled would take more than 74 hours. So if any one of you sat down and read through this material at the rate of eight hours every day straight, no breaks—eight hours a day—it would take you more than nine days to read the materials.

Your House leader said we've got eight days to actually debate the bill and pass it. You're not even going



to understand what the impact of some of these things is. I think we should tell people listening what all's involved in this. It's not just amendments.

It actually creates three new pieces of legislation: the Public Sector Salary Disclosure Act, the Ontario Loan Act, the Physician Services Delivery Management Act. Those are three brand-new pieces of legislation.

It repeals two acts: the Public Halls Act and the Bread Sales Act. I can't imagine what those have to do with public sector restructuring or your fiscal agenda or whatever.

It amends 44 acts: the Corporations Tax Act, the Income Tax Act, the Capital Investment Plan Act, the Highway Traffic Act, the Ministry of Health Act, the Public Hospitals Act, the Private Hospitals Act, the Independent Health Facilities Act, the Ontario Drug Benefit Act, the Prescription Drug Cost Regulation Act, the Regulated Health Professions Act, the Health Insurance Act, the Health Care Accessibility Act, the Expenditure Control Plan Statute Law Amendment Act, the Pay Equity Act, the Freedom of Information and Protection of Privacy Act, the Municipal Freedom of Information and Protection of Privacy Act, the Public Service Pension Act, the Ontario Public Service Employees' Union Pension Act, the Municipal Act, the Municipal Franchises Act, the Municipality of Metropolitan Toronto Act, the Ontario Unconditional Grants Act, the Public Utilities Act, the Regional Municipalities Act, the Regional Municipality of Haldimand-Norfolk Act, the Regional Municipality of Sudbury Act, the Regional Municipality of Waterloo Act, the Regional Municipality of York Act, the Conservation Authorities Act, the Public Transportation and Highway Improvement Act, Local Roads Boards Act, Milk Act, Forest Fires Prevention Act, Lakes and Rivers Improvement Act, Public Lands Act, Game and Fish Act, Mining Act, Ministry of Correctional Services Act, Fire Departments Act, Hospital Labour Disputes Arbitration Act, Police Services Act, Public Service Act, School Boards and Teachers Collective Negotiations Act. 1710

It goes on and on and on. These things aren't even related to each other. I've spent time this weekend reading through this bill, without having the other acts that it was amending, because they weren't provided as they're supposed to be, and I'd had this material and all the compendium documentation at home. I could only get through the bill three times and had a whole list of questions in trying to understand what these provisions meant. In some of them you're going to have to get legal interpretations.

How can you do your job and how can I do my job representing my constituents in debate on this bill when it's going to be rushed through, rammed through, in eight days? All of these complex, major public policy issues strung together, where we each have one half-hour to speak on it as members of the Legislature, and we won't even all have that in terms of the amount of time that's available, and no public discourse, no opportunity for the very groups that are going to be affected by this to see the legislation, to do their analysis and to provide it. They can't do that in the amount of time that's left before

December 14. This is extraordinary, absolutely extraordinary.

Just a few of the things the bill does, Bill 26. Infamous number; we will never forget that one. The bill rolls back laws on pay equity for women, proxy method of determining pay equity. If you believe in pay equity, if you believe in the principle, you will know that there are plans where in some workplaces you can actually find the job of a male comparator to develop your plan around, but there are workplaces that are predominantly female or all-female workplaces.

One of the best examples is a child care centre. Most of those employed in child care are women. There are some men who work in there, but it is a female-dominated job class and there are no male job classes in a child care centre to compare to. So the proxy method was developed where they could look at an organization—for example, a child care within the Ontario public service that has a large number of ministries and a huge number of other jobs where they can make a comparison and determine what an appropriate comparison and an appropriate adjustment would be, and by proxy take that percentage of adjustment, not the actual wage rate but the nature of the adjustment, into those workplaces. That's being done away with.

Know what other little gems are in there? If you're an employer and you've negotiated a plan or you've posted a plan, you've got a schedule of payments that you have to meet, you don't have to meet the schedule of payments any more. It's gone. You've reached in to past plans that have already been posted, people who are already depending on that money coming, and said, "No, no, no, an employer doesn't have to pay it out on that schedule any more." You don't say what they have to replace it with. That's just from a quick read at it.

Your bill deregulates drug prices.

**Hon Mr Harnick:** You just delisted them.

**Ms Lankin:** Those of you who made much of the point that every other province has a copayment for drugs—and I heard you—do you know that every other province has a law that regulates the price of drugs as well, and you're doing away with that?

**Hon Mr Harnick:** Then there is the NDP, who delist the services and pay 100%.

**Ms Lankin:** The Attorney General walks in after a long absence and starts piping from the time he comes through the door to his chair. Perhaps you could just listen for a moment and know what the debate's about before you pipe up.

**Hon Mr Harnick:** I picked it up. I'm really sharp about these things.

**Ms Lankin:** Yeah, you're really sharp.

It deregulates drug prices. What's that going to mean, not just for the Ontario government, but for people who are not under the Ontario drug benefit program? What's it going to mean for your constituents, your neighbours? I suggest it's going to mean higher drug prices for all Ontarians very quickly. You've got to take a look at it. You've got to understand it. You should have public hearings. You should allow people to—

**Mr Ford:** How do you know all these things?

**Ms Lankin:** The member asks, how do I know all these things? I suppose none of us know with equanimity all of these things, but I did spend two years as the Minister of Health dealing with the pharmaceutical industry and taking a look at the drug benefit plan, and I suspect—it may not be true—I might know just a little bit more about it than some others who didn't have that opportunity.

So I speak from that experience when I say I think this is a very dangerous move and I think that it requires full public hearings, because I believe that you will want to hear the concerns, and you may want to amend how you're going to implement it. Even if you're determined to implement it, you may want to amend it after hearing from people and after hearing from opposition. But you don't have the time. You don't have the opportunity built into the system, because you're going to ram it through in eight days and not listen to anybody. So you won't even know.

I suspect most of you don't even know what's in that little schedule piece of the bill, how it goes about deregulating. I'm sure if the media put a microphone in front of you right now and asked you to explain it, you couldn't do it. You probably haven't even seen it, most of you.

**Hon Mr Harnick:** Only Frances can do it.

**Ms Lankin:** The Attorney General says only I can do it. I can't do it. I spent the weekend going through this trying to understand it, again without the acts that it's amending, because those weren't provided and we didn't have them all at our fingertips at that point in time. You can't understand it that quickly. The minister wasn't here when I pointed out that there are over 2,200 pages in the bill and the compendium documents, and that a member reading that dense legislative text at the rate of 30 pages an hour for eight hours a day would take nine days just to read it. That's without any attempt at trying to understand it, cross-reference it, get legal opinions. It's impossible. This is not a government that wants to have any kind of debate on this or any kind of sunshine on the process, public understanding.

The bill takes from municipalities rights that they have with respect to protection of their own borders and boundaries, and it gives the power into the ministry, amazing powers to the Ministry of Municipal Affairs and Housing to restructure municipalities, to amalgamate, merge, annex. It's stunning that you should feel that this is appropriate. Many of you have been involved in municipal councils, but you think that the Ministry of Municipal Affairs and Housing and the minister should, by regulation in cabinet, be able to annex municipalities, amalgamate municipalities? Ho.

You're shaking your head. I'm surprised. I would not believe most of you, particularly those of you who come from the political point of view more akin to the Reform Party, who believe in the rights and controls being at the community level and in the powers remaining there and in people having a say over their own destinies, that you would agree that big, bad state, central government should be able to pull in all the power to itself and to a minister to sign a letter and decree that municipality X no

longer exists, that it's merged, amalgamated, that its services are changed, that its tax base is changed, without any say from the municipality.

That's what the bill allows. I'm not exaggerating. Read it. That's what the bill allows for. You haven't read it. Please, pick it up and read it. Understand what it is that you're doing. Understand the powers you're giving to your own cabinet, because I think many of you would disagree with that, what I know of the political perspectives that you hold.

Totally unrelated public sector restructuring, totally unrelated to the fiscal savings that you talked about; there's a whole bill in there that guts the laws that require cleanups of pollution when you're closing a mine, the cleanup of all the tailings, the environmental obligations on the part of mine operators. What does that have to do with public sector restructuring or with your fiscal agenda? Nothing. It's a whole piece of legislation shoved in there under this one umbrella. It's not related at all.

You know, of course, that it gives government more powers over hospitals and doctors. Government doesn't have to listen to anyone before closing a hospital. In fact, you've set up a central restructuring commission which bypasses all of the good work being done by district health councils, and you put the power in the hands of the Minister of Health that by a stroke of a pen he can close a hospital. It's unprecedented. Those powers don't exist in this province, until you pass that legislation, for very good reason.

I spoke earlier about how wrong it is to assume that the wisdom of how health restructuring should be done rests within Queen's Park, at the heart of the province. You've got to go out to the communities to understand what the real impact is. This is very, very dangerous.

It repeals existing laws—get this one—that give preference to Canadian-owned non-profit health care providers in setting up independent health clinics. The minister says, "Oh, no, no, no, it's not because we have a desire to bring in American for-profit." Well, why are you doing that? You have to assume, when you put all the pieces together, that you have a plan to move, widespread, into the delivery of health services through independent clinics, for-profit, American-run.

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This is not medicare, friends. That piece of legislation is critical to the integrity of the not-for-profit, quality delivery of health care services guaranteed under medicare. I know you don't like those words. That's what medicare is all about, my friend. That is what medicare in this country is all about. That is what the quality of services is—

**Mr Hastings:** A universal waiting line.

**Ms Lankin:** A universal waiting line. What are you talking about? Please, what are you talking about? Take a look down south of the border. Take a look at the universal waiting line for hundreds of thousands of Americans who have no coverage at all. That's what you're importing into this province. That's what you're bringing here.

You're tearing apart the finest health care system. It's not a system that doesn't require change. No one in this



House would argue that. Of course it does, and those plans are unfolding and people in communities are planning for the change. And what are you doing? You're opening it up to for-profit American operators to come in and deliver health care as independent health care clinics. Why? Why are you doing that?

Okay, back off a second, Frances. Even if you think that's a good idea, shouldn't that be something that you let the public talk about? Shouldn't it go out to hearings? Shouldn't we have an opportunity to examine what that means for the future of health care delivery, even if at the end of the day you decide as a government it's a good idea?

I don't believe you've had any conversation with your constituents on this issue. I don't believe it for a moment. I know I haven't. I didn't know you were contemplating this. I haven't talked to my constituents about whether they think this is a good idea or not. I suspect I know what the answer would be, but I haven't had that discussion. How am I supposed to do that in the eight days that you ram it through and have no public debate, when I have to be in the House to participate and debate on it? Come on, take a look at what you're doing.

Of course, it rewrites rules for bargaining with police officers, with firefighters, with hospital workers and other workers in the broader public sector. I'm sure this is an area where we will part in opinion, if we haven't already so far today, because I believe that there are many of you who will not be sympathetic to the arguments I'm making.

But I want you to understand the history of interest arbitration. We're not talking about grievance arbitration here. We're talking about arbitration of collective agreements, of terms and conditions and benefits and wages in those sectors which do not by law have the right to strike.

I'm sure those of you who are familiar at all with labour relations will understand that this system of arbitration and the rules that govern it were set up to replicate what occurs in free collective bargaining, and that's very important. If you take away the basic tool that's available to workers, the withdrawal of their service by law because of the essential nature of the service that they provide, if you say that they don't have the right to strike, the system that you've replaced free collective bargaining with must attempt to replicate free collective bargaining.

This series of bills that you have put in fetters the arbitrator in doing his job. It sets new conditions that the arbitrator must consider, one of them being the ability to pay. You would think that's a reasonable thing. You would argue, I'm sure, "Well, if the municipality doesn't have money, then that has to be taken into account." But I ask you to take it a step further and to understand what the implication of that is.

By extension, when you put the requirement or the criterion to examine the ability of the employer to pay, to examine the economic circumstances in the province, to examine the service levels that are required in the community, to examine the need for qualified staff—these are the things that are in the bill as I read it on the weekend—you know what you do? You bind the arbitra-

tor and you set us down a road where you're saying you expect public service workers to subsidize the cost of the delivery of public services; that no longer is there a fair process that will actually try to replicate what happens in free collective bargaining and will look at the non-legislated, non-right-to-strike sector and say, "If they were out in the private sector and in the free collective bargaining sector, what would the wages be?" and look across sectors. You've taken away the ability for the arbitrator to do that and you've moved us down the road to saying to public sector workers, "Thou shalt subsidize the cost of delivery of public services."

That's not to say that there shouldn't be pressures on wages: in good times pressures to bring them up and in tough times pressures that restrain them. Of course that happens and we've seen that happen in this province. We've seen responsible trade union leaders come forward and understand and say: "Listen, we're not talking about a wage increase. What we want is job security protection for our members. We understand that keeping the jobs is more important right now than getting an increase in wages."

Unions understand and have brought forward these proposals in the public sector, and yet you've stepped into the process and you've taken away the ability for arbitration to replicate free collective bargaining. The minister calls this and the many other things that I talked about in those 47 different acts and the three new bills and the two repeals the tools in his tool chest that are required to implement his economic statement.

Most of them have very little to do with being tools and most of them, if in fact they are tools, are an incredible shift in the balance of power in this province, an incredible shift away from working people, just as your tax policy is an incredible redistribution of income from low incomes to high incomes, a depressing of the lowest incomes, those on social assistance, a freezing of minimum wage, a capping of pay equity payments and elimination of proxy pay equity method, all to provide a huge tax break for the highest-income people in this province.

It's not something I'm very proud of in our Ontario. In fact, it's something that I find quite immoral, in terms of its motivation, but that is the program of this government.

I guess I'll wrap up in saying that it's very difficult, day after day, to know exactly where your government is headed. The economic statement is very unclear in terms of the impact of the cuts in many areas. In the transfer payments there are global numbers. We don't know how they're going to be applied. The transfer payment agencies can't do their budgets yet. We don't know what the impacts will be. In the internal budget, the \$1.4 billion cumulative in cuts, you've only identified something like \$20 million of what that will be. We don't know the rest of those cuts.

We heard a commitment from you during the campaign that you wouldn't cut health care. We've now seen \$1.3 billion being cut from hospital budgets, applied against the bottom-line deficit reduction—not there available for reinvestment, as we often hear the Premier say.

We heard a commitment for no new user fees. We see user fees having been implemented in the drug benefit program. We heard the Minister of Health say, "Even if we do break that promise"—he didn't say that, but that's what's inferred—"and introduce user fees, it won't affect low-income and poor seniors or the disabled." It does; it covers everybody.

We heard a promise that you wouldn't make cuts to classroom education. You've cut just about 10%—\$400 million. No plan at all to prevent it from touching classroom spending, and most of the school boards are saying: "Of course it'll affect classroom education. There isn't enough room anywhere else." The minister doesn't even know what's classroom spending and what's not. He's got a survey out there trying to gather that information; he doesn't have that information yet.

We heard a commitment that you would only allow modest increases in tuition fees—20% to universities, 15% at colleges. That's not modest.

**Hon Mr Harnick:** About the same as yours.

**Ms Lankin:** The minister opposite says, "The same as yours." I'm not talking about our promises; we're talking about your promises. The Common Sense Revolution is your document. You are the ones who promised you would hold tuition fees to a moderate increase. You're the ones who announced university increases at 20% and college tuition increases at 15%. You're the ones who promised not to allow the cuts to affect law enforcement.

**Hon Mr Harnick:** You're the ones who gave us the \$100-billion deficit. You were the ones who raised fees. You guys have very selective memories.

**Ms Lankin:** The Attorney General's the one who's interjecting here. You show me where in the economic document there is any protection of law enforcement dollars.

Cuts to the municipalities: Move it all into a block grant. It just moves it out there and says, "You make the decisions." There are no controls in there to protect the policing budgets in those municipalities.

Talking about municipalities, the Common Sense Revolution makes a commitment that there will be no pass-on of these costs or these cuts in terms of municipalities increasing property taxes. Nothing in the statement, nothing on that front now.

The Common Sense Revolution says, "We will ensure that municipalities don't pass this on by increasing taxes at the lower level." You're not ensuring it. In fact, you're rolling it into one block grant, putting it down to them and saying: "You make do. You make the tough decisions."

On top of that, you're passing legislation in this omnibus bill that will give municipalities the right to introduce user fees where before they would have had to have legislation. Your Premier said: "A user fee is a tax by any other name. We will not have taxes increase at the municipal level or at the provincial level." He has introduced user fees and he is passing legislation to let municipalities introduce user fees for garbage pickup, for recycling, for a whole range of things. We don't know how innovative they will have to be to make up for the cuts you have made.

On the tax cut, you promised it was going to create 725,000 jobs, and we've been through this afternoon how improbable and unrealistic that is, how wrong in its economic theory that is. It hasn't worked in other jurisdictions. Just take a look at the Reagan years and the Reaganomics. It's exactly what they tried to do, the trickle-down theory. In fact, their deficit increased through that period of time. It ballooned during that period of time, and jobs weren't created as a result of the income tax cut.

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In order to pay for an income tax cut that's going to primarily benefit the wealthiest people in this province, we are seeing poor people's incomes lowered. We're seeing seniors and disabled having to pay user fees on their drugs. We're seeing hospitals get money yanked out of them and put against the deficit, not reinvested where we need it in community care in order to effect the restructuring. We're seeing money taken out of schools that is going to affect the classroom education for our children. We're going to see municipal taxes go up, user fees be introduced, higher tuitions.

For the middle-income person, that tax cut they're going to get is going to be spent twice over before they even get it, all in the name of giving a big tax break to the wealthiest, highest-income people in this province. Why?

**Mr Trevor Pettit (Hamilton Mountain):** You took it away from them in the first place.

**Ms Lankin:** The answer: The member opposite said because we took it away in the first place. In fact, you know, we are right. We introduced, at the top end, additional surtaxes for the wealthiest people in this province and we took people off the low end of the income tax roll. We believe that that made the system fair, that that brought fairness to the income tax system based on an ability to pay.

The myth that we hear across here that we are the highest income tax rate in all of North America: I'll tell you, you look at middle income, and in fact we are right in the middle. We are third-highest at the marginal rate at the highest end, and there's nothing wrong with that. If you believe in progressive taxation, if you believe in people paying taxes based on their ability to pay, if you believe in us all pulling our fair share in this society based on our ability to do so, then that is the exact right way to go.

But the member opposite here says, "The reason we're doing it is because you increased taxes at the top and we want to give those poor people"—not poor as in low-income—"those sad people, those heavily taxed people, those wealthy, high-income people, a break so that they can invest more in offshore stocks and bonds, so that they can buy luxury items that are not produced in this country."

It's not going to stimulate the economy, it's not going to create the jobs and, I say again, I believe it is immoral. I don't think that's too strong a word. I think when you are making poor people pay through hardships of losing their homes, not being able to feed their kids, not being



able to clothe themselves in the wintertime—and don't look at me like that. You go out on the streets of Toronto and meet some of these people. Meet them in the lineups of the food banks right now.

When you were doing that, when you were taking money out of our health care system that you promised to defend, when you were breaking every promise that you were elected on—every promise that you were elected on. Don't shake your head. Absolutely every key promise: not touching health care, not touching classroom education, not touching law enforcement—every key promise you are breaking. Why? To give a tax break to the wealthiest people in this province.

In the course of the last two months I have had discussions with many people in the business community and many people who come from high-income households as well. It started slowly, but more and more, people are saying, "I don't think this is a good idea." I have a colleague who met with the chamber, and to a person, except one, at that chamber meeting, they said: "I don't think this tax break's a good idea; it shouldn't come now. We should slow down the cuts and we should pay off the deficit before the turn of the century. We shouldn't do this tax break."

More and more people are saying: "I don't want this money when I see the pain that it is causing, that it's driving the cuts to be as deep as they are and as fast as they are and as far as they go. I don't want that. Mike Harris, I don't want your blood money."

More and more people are saying no, and I hope you will listen. I hope you will listen. Slow down the nature of the cuts, the speed of the cuts, the depth of the cuts. Balance the budget faster. That's what people want in this province.

**The Acting Speaker (Ms Marilyn Churley):** Questions or comments?

**Mr Doug Galt (Northumberland):** Congratulations to the member for Beaches-Woodbine for lasting the whole 90 minutes. It was a very compassionate speech. She's an excellent orator.

I am concerned about the warnings that you talked about to begin with. You talked about the warnings from the CSR and you talked about the warnings of the cuts to welfare, 21.6%. I would point out to you that we still are the highest in North America, the highest in Canada, more than 10% above the provincial average. Our people on welfare can't be that terribly off when we're that far above the other provinces.

I think the real warnings are the deficit. The real warnings are the spiralling debt that we've been going through: a deficit of some \$9 billion, a debt of almost \$100 billion. By the end of this decade, if we don't do something about it, if we remain the status quo that we've gone through in the last term of government, it'll be approximately \$20 billion or 40% of the taxes that are coming in.

Nine billion dollars is more than we're spending on hospital care today. Nine billion dollars is more than we're spending on education in total in this province. As a matter of fact, the deficit and the interest are just about the same. If you people hadn't borrowed so much and put

us so far in debt, today we're taking in enough money to supply all of the services in this province that we need to be supplying.

I'm hearing from across the House an awful lot of criticism from the opposition about what we're doing, but really, your role happens to be to give some alternative suggestions. You said in the last election that in three years you would balance the budget with no spending cuts. That must have been through tremendous increases in taxes.

**Ms Lankin:** No.

**Mr Galt:** Oh, yes, you did.

The Liberals said they would only cut by \$2 billion and they would balance in four years. Maybe the candidate in our area didn't understand the platform of your party, that they were going to have no spending cuts but balance in three years.

**Mr Gilles Bisson (Cochrane South):** I would like to congratulate the member for Beaches-Woodbine for what I thought was a most informative speech. Like always, the member for Beaches-Woodbine makes sure to research her material and to inform the people of this House and the public on the matters before us.

I just want to comment on a couple of parts of what she talked about. One of the things is that there was a comment made by one of the Conservatives across the House during her speech, when she was talking about health care. He described our health care system as being—and I want to put this on the record—our universal system of health care being a universal lineup.

I think that just shows us where this government is at and where this Conservative Party is at. They don't believe in public services. They certainly don't believe in our public health care system as it stands. They want to see an opening up of our health care system so that in the end the private sector can play a much larger role, because ideologically that's where they want it to go. So let's not delude ourselves about what this government is all about.

The member also made, I thought, a most interesting point—and I think really the crux of what's going to be happening in this House over the next couple of days—and that is what is found within Bill 26. I won't read the act because it's so long, but the point is there are 44 pieces of legislation here. She made a point that there are a number of things within this act that have nothing to do with what is termed as savings and restructuring within the act.

The government brings this forward and says, "This is in order to allow us to save the money and to restructure government so that we can save money in the end."

I only want to point something out here. There's section 237. This is most amusing, and I wonder what it has to do with restructuring. It says, "Bylaws may be passed by the council of a local municipality regulating or prohibiting the playing of bands and of musical instruments...." What in heck does that have to do with anything about restructuring? I guess they're saying, "No more music in Ontario after this act is passed." It's amazing.

**Mr David Tilson (Dufferin-Peel):** The member for Beaches-Woodbine has raised a number of issues, and one of her comments had to do with the Savings and Restructuring Act. She asked the question, why are these things being done? Well, we have to take drastic measures. As one of the previous speakers, in reply, commented, the interest we're paying on our loan is now somewhere between \$9 billion and \$10 billion. The debt is \$100 billion. If we didn't do anything, which is basically what the New Democratic Party under former Premier Rae said, "No change, no taxes, no cut in taxes, no restructuring"—that was his message—

**Mr Bisson:** No.

**Mr Tilson:** I'm sorry. You say no, but it was his message. He said he was not going to reduce taxes, he was not going to get into restructuring because of the programs that are needed in this province.

**Mr Bisson:** Point of order.

**Mr Tilson:** The problem we have in this—you don't have a point of order.

*Interjections.*

**Mr Bisson:** The member is—

**Mr Tilson:** I want my time back. He's eating up my time. I'm not going to let you blather on. You can listen to me.

**The Acting Speaker:** Would the members come to order, please. Continue with your statement.

1740

**Mr Tilson:** I can only say that the answer as to why is because we don't have any choice, because of the terrible position that your government—and you are a former Minister of Health, you are a former minister of a number of things. We put much of the root of our problem in this province on your former government. It's drastic, it's terrible as to the position that we've been left in this province.

The understanding I have is that instead of \$9 billion at the turn of the decade, that interest would be \$20 billion. We can't sustain that sort of thing. So whether it's health care, whether it's education, our promise is being committed. The \$17.4 billion is going to be honoured, so don't hold up your "Not a penny" argument.

**Mr Bisson:** You said you wouldn't touch health care.

**The Acting Speaker:** The member for Cochrane South, come to order.

**Mr Tilson:** The promise is going to be kept. We are keeping our promises, which isn't what you did in your government.

**Mr James J. Bradley (St Catharines):** I listened with a good deal of care to the comments of the member and I was pleased to note that she mentioned Bill 26, the huge, massive government financial bill that they have presented, a budget bill that they've presented to the Legislature, which contains provisions for the amending of some 43 acts of the Ontario Legislature, which has, I believe, three new acts which would be passed and two which would be removed.

This is a massive bill. It deals with a number of items, as the member has mentioned, that have little to do with

one another, and it seems to me that when we are dealing with the financial statement of the minister, what was more important as it emerged was the massive new budget bill the government had introduced and wishes to have passed before Christmas, presumably in order that the members of the government can flee to the warmth of Florida in the new year.

I know that the member mentioned that we in the opposition are prepared to sit right through the Christmas holiday if necessary, but we understand there are people who have family considerations and wish to get together. I understand that and I want to be flexible. But we are certainly prepared to come back immediately in January, and in February and March, to deal with these matters, because we know that the provisions of that bill, as the member has noted, require careful scrutiny by members of this House. I know that all of the government members, at least the ones who have been here for a while, know that this bill is a major mistake on the part of the government, that it should be separated and that there should be public hearings and full consideration of its provisions.

**The Acting Speaker:** The member for Beaches-Woodbine, you have two minutes to sum up.

**Ms Lankin:** I'm glad that the member for St Catharines actually mentioned the fact that there is a commitment from both the Liberal Party and the New Democratic Party to sit through the Christmas period and/or through January and February. It is very important—

**Hon Dianne Cunningham (Minister of Intergovernmental Affairs, minister responsible for women's issues):** That's news.

**Ms Lankin:** I hear someone say, "That's news." In fact, that was made clear during question period today.

We believe profoundly that this omnibus bill must be split, must be dealt with in some discrete packages that make policy sense, so there can be a rational debate, and that there needs to be public hearings on many of these pieces. We're prepared to sit through to see that happen. I noticed a lot of the members, perhaps with a little more bravado than they intended, said, "Yeah, yeah, yeah, we're prepared. We'll sit here. We'll be here too," a lot of the Tory members. I'm glad. I hope you'll convince your House leader of that.

If I could say to the member for Dufferin-Peel and to the member for Northumberland, I appreciate their comments in which they talked about the previous government's record and in which they talked about the size of the debt and the size of the deficit. There is much we could debate about the reasons and how we got there and whether or not the government attempted to take steps to bring down the cost—I can remember a \$4-billion expenditure reduction program and a \$2-billion social contract—but I can't dispute the fact with you that there is a very large deficit and a very large debt, and that it is important and needs to be dealt with. I don't dispute that.

The member for Northumberland stood up and said, "You know, we pay as much on debt interest as we do on hospitals." I used to say that when I was defending the



\$4-billion expenditure reduction program and the social contract, so I know those numbers, I know those briefing notes. I've been in that movie; I've seen it.

What I want to suggest to you is that it is not credible to believe that your number one priority is the debt and the deficit when you're prepared to borrow \$30 billion over the next five years to pay for the tax break for the wealthiest people of this province. That makes no sense, common sense or otherwise.

**The Acting Speaker:** Further debate?

**Ms Isabel Bassett (St Andrew-St Patrick):** Madam Speaker and honourable colleagues on both sides of the House, I am privileged to rise in the Legislature today and to speak for the first time on the economic statement that was delivered by the Finance minister last week.

I am proud and privileged to represent the people of St Andrew-St Patrick, and I want to say a few words about my riding since this is, after all, my maiden speech.

St Andrew-St Patrick elected Allan Grossman to this cabinet at a time when members of the Jewish community were treated by many people as second-class citizens. I am honoured also to follow in the footsteps of his son Larry Grossman, who has become one of my mentors and who, as was his father, is a long-time friend of the Bassett family. I am also pleased to take over from my immediate predecessor, my friend Zanana Akande, who chose not to run for re-election.

St Andrew-St Patrick is more proudly diverse than most ridings in Ontario. Economically, culturally, religiously, ethnically, racially and linguistically, it is a cosmopolitan microcosm of diversity: people who are proud of their heritage, but even prouder of being Canadians, Ontarians, Torontonians, and of living in St Andrew-St Patrick. This diversity in St Andrew-St Patrick encompasses a broad range of political and ideological views with great intellectual ferment and academic achievement, and medical and professional excellence epitomized by the University of Toronto, by world-class health care centres, research facilities and by a vibrant corporate financial sector.

By electing me to this chamber, the people of St Andrew-St Patrick, whether they live in Forest Hill, in the Annex, on Bloor Street or on Harbord or on College, have entrusted me with their confidence. I ran on a campaign that clearly spelled out Mike Harris's agenda to restore fiscal health to this province, and so I bring to this Legislature one overwhelming message from my constituents: Fix the fiscal mess at Queen's Park.

The hardworking citizens in my riding feel economic despair. They feel overburdened by high taxes, little or no disposable income, and a never-ending treadmill of barely making ends meet. Adjusted after inflation, the take-home pay of the average worker in Ontario is lower today than it was five years ago. My constituents' concerns are rooted in reality. In Ontario, twice as many people are unemployed and nearly three times as many are on social assistance as were a decade ago. We all know why.

Too much of our money has been grabbed by the governments of Ontario over the past 10 years. Between 1985 and 1995, Ontario's government spending doubled

from \$27 billion to \$55 billion. During the five Liberal years there were five consecutive 16% jumps in spending. During the five NDP years, Ontario's debt doubled from \$42 billion to \$97 billion. The NDP also doubled Ontario's interest costs.

**1750**

That is why, within weeks of assuming office, Finance minister Ernie Eves had to make a midcourse correction. In July he cut \$1.9 billion, yet the deficit remained at a staggering \$8.7 billion.

This is the real legacy of 10 years of Liberal and NDP governments: the richest province in Canada saddled with the highest provincial deficit and burdened with a debt of nearly \$100 billion. Per capita, it is the third-highest debt load behind Newfoundland and Quebec. Who would have thought that Ontario would be in the same economic league as Newfoundland?

Ontario's interest charges alone are \$8.8 billion a year: \$1 million per hour, 365 days a year. This year, Ontario will spend close to 19 cents of every dollar it receives on the public debt, and that's up from nine cents only five years ago.

The basic truth is that this is not sustainable. As our Finance minister, Ernie Eves, put it, "If we let this continue, the deficit will reach \$20 billion within five years—more than we spend on health care and twice as much as we spend on education."

There is broad agreement across the political spectrum that we need to get out of this deficit-and-debt trap. The financial markets have been demanding it, the Bank of Canada has been demanding it, and governments across Canada are beginning to respond. The Liberals in Ottawa have tightened the reins. Every provincial government except Quebec is cutting back. Six provincial governments will balance their books this year, and they include both Liberal and NDP governments. The only difference of opinion is what to cut and how quickly to cut it.

The pace of change in Ontario was determined by the people of Ontario on June 8 in the election. They agreed with Mike Harris on eliminating the deficit in five years. Our task is to be faithful to that mandate.

The economic statement introduced by Finance Minister Ernie Eves is an affirmation of the people's will. After 10 years of fiscal mismanagement, it marks the beginning of the restoration of our financial health. We are on the road to recovery, but it is a long journey. Our task is to proceed expeditiously but fairly, and we all must share in the pain of cutting back.

Those of us in government must lead by example, and lead by example we will. The journey to a deficit-free Ontario is beginning here, right here in this chamber, and that's why our Finance minister is reducing legislative expenses by a minimum of 20%, which will save taxpayers \$27 million a year. Many of the perks enjoyed by MPPs are being eliminated.

Outside government, we can't expect hardworking taxpayers to make sacrifices without also ending corporate welfare, so this Conservative government is eliminating business subsidies and loans—all of them—for an annual saving of \$230 million. As Finance Minister Eves

said, "We don't think the best way to support business is to give them handouts."

Business understands. In fact, business has been ahead of government in trimming costs and in restructuring in the last five years. As Catherine Swift, the president of the Canadian Federation of Independent Business, said, "Subsidies to business have never been good." Business does understand, and business is cooperating.

As we put an end to corporate welfare, we must also reform the general welfare system. In doing so we will be in good company, in the company of other provincial governments, including those of Liberal leader Frank McKenna and NDP leader Mike Harcourt.

In BC, the provincial government is slashing benefits by up to \$100 a month, it is encouraging recipients to take retraining and it is even imposing a three-month residency requirement.

The problem here in Ontario is more severe, however, and the challenge more daunting. With one third of Canada's population, we have nearly one half of Canada's welfare recipients—thanks to the economic handiwork, I might add, of the Liberals and the NDP in the past 10 years. In North America, Ontario ranks first in having the highest proportion of its population on welfare, and this is a dubious distinction. People want jobs, not dependency.

If throwing money at the problem were the solution, we would have solved the situation long ago. After all, the previous two governments spent \$40 billion on welfare over the last 10 years. Obviously, we need a new approach. We need to create jobs. To do so, we need to control the deficit and the debt, and to do that, we need an attitudinal change with new ways of running the shop. We need to be realistic about what we can and cannot afford. That basic reality check runs right through our economic statement.

Even after the school boards lose \$400 million from their funding base, we will still be spending 10% more than the average of what other provinces spend on their schools. We are confident that the school boards will find the savings in the 30 cents of the education dollar spent outside the classroom—in the half-empty buses that are running on the same routes, in the same direction, to different schools. They will also find savings in their own bureaucracies.

Similarly, we are confident that more than 800 municipalities will meet the challenge of finding the needed savings by not having two parks departments in every municipality of Metro Toronto or two different crews for the maintenance of roads and highways.

Hospitals, universities and cultural institutions will no doubt have to do with less, as we all must. But we have provided them with an additional tool to assist them in restructuring as well. By introducing legislation to allow them to establish foundations, we are giving hospitals and universities additional flexibility to come up with their own funding through more private donations.

To all those who claim it is not doable, we say that the provincial government itself is going to be reduced by one third. We'll do it by streamlining administration and

finding new ways of delivering services. Our transfer partners must do the same. We don't pretend that the cuts don't hurt. It is far easier, politically, to do nothing or to just tinker around the edges. As the Finance minister has put it, we know there are human consequences to balancing the budget, but there are much greater consequences if we do nothing.

Let it also be said that no one has a copyright on compassion. It is not compassionate, in my view, to keep a million people on welfare and to deny them the opportunity to work and to find employment. It is not compassionate to rob the young of the opportunity to know what it is to earn a living. It is not compassionate to run the middle class into the ground with high taxes. The most compassionate thing to do is to shake off the yoke of the deficit that is weighing us down and restore business confidence, restore investor confidence, restore people confidence and create jobs for the people of Ontario.

We have begun the process. We have taken the first steps on the long journey back. We are headed in the right direction, which is why the economic statement has been well received by the people and by the Canadian Bond Rating Service, the Dominion Bond Rating Service, the Canadian Manufacturers Association, the Canadian Federation of Independent Business and investors who are back buying Ontario bonds.

As the Canadian Bond Rating Service put it, "The international financial markets have been waiting for Ontario to show it that it means business in deficit reduction." Let me tell you, Finance minister Ernie Eves has shown we mean business.

We are cutting government, and we are doing it fairly and equitably. We are beginning to revive the economy, create jobs and end economic insecurity by restoring prosperity. Our economic statement has started Ontario on its way to recovery.

1800

**The Deputy Speaker (Mr Bert Johnson):** Questions and comments?

**Mr Bisson:** I'd like to congratulate the member on her first speech in the House. I very much look forward to working with her over the next four years. I know her to be an honest individual who's hardworking, and I compliment her on that.

There is a difference, though, in the approach we would take, depending on what side of the House we're on. If the member can just look this way for a second, because I'm trying to respond to her speech, one of the things she said was that neither the New Democratic Party nor the Liberal Party is prepared to deal with trying to balance the budget of Ontario. I want to tell you directly, and I want to tell those people watching, that the New Democratic Party and the Liberal Party understand and support the direction the government is going in. Our argument with you is not in your overall aim.

We accept and we understand that our government came to power in the middle of a recession, the worst recession since the 1930s. The program spending, as set up by both Conservative governments and the Liberal government before us—not through your fault but



because of the way the programs were set up—was costing the province a lot of money, with the recession added to the deficit and added to the problems we were having in regard to the overall budget. Our government was dealing with that, in fairness.

What we said during the election was that we would not promise a whole bunch of tax cuts to people as a mechanism to try to get elected. We said no promise like that can be made. Eventually, a government may have to make a decision to increase a tax, but we wanted to do it on the expenditure side.

That's why we were doing the restructuring of the long-term-care system; that's why we had the royal commission report in regard to the work we were doing around trying to amalgamate school boards; that's why we commissioned the Golden report, to take a look at municipalities and how they're structured and how they need to find efficiencies.

I think the difference we have here is that I and my party, the New Democratic Party, do not agree with the approach your government is taking. We feel that in the long run it's not going to serve our services well and not going to serve the people of this province well.

**Mr Mario Sergio (Yorkview):** With only a few seconds, I don't want to respond to Ms Bassett. As a matter of fact, I wish to congratulate her on her maiden speech, as she said. I won't be speaking on her comments or others with respect to the Minister of Finance or the Premier or other members of the government side.

I want to address these brief remarks to Bill 26 itself, this very voluminous document here. Bill 26 is An Act to achieve Fiscal Savings and to promote Economic Prosperity through Public Sector Restructuring, Streamlining and Efficiency and to implement other aspects of the Government's Economic Agenda. They forgot to add "without public consultation." I think this is the most fundamental part missing from this particular document.

What Bill 26 does is give new powers to deal unilaterally with major components of our structural society as we know it today. It deals with the Ontario drug benefits, it deals with the Ontario hospital acts and it leaves us and the people totally unknowing the effects of Bill 26. We have already mentioned the other day and today that we wish to peruse this document and take the time required to bring forth and let the people of Ontario know exactly what the consequences are of this bill.

It's extremely important that the contents of Bill 26 are brought to the attention of our people so we know exactly what's in it for us and for them out there. We'll go through it at length later on.

**Mrs Marion Boyd (London Centre):** I'd also like to congratulate the member on her first speech in the Legislature, and say to her that her way of speaking—her clarity and her even-toned response—was certainly much appreciated.

Our concern, obviously, with the financial statement and the bill that has flowed from it is the contention of the government that suddenly we have a disaster, a crisis,

a huge problem that needs extraordinary measures in order to deal with it. We don't agree that that's the case.

We have always said that it is important for this province, indeed this country, to get the finances under some control, to begin to assure that we are not mortgaging the future for our children, and we agree with that.

But we do not agree that suddenly this has attained the kind of crisis proportions that requires a government to put into place measures which are similar to the War Measures Act or some other draconian bill that would enable governments to make decisions without recourse to the Legislature, without recourse to the public in terms of comment on those concerns. That is exactly what the government has done and exactly what the member, in her support of the Minister of Finance, has not taken into account.

It is important, when we speak in this place, to be very clear that it is not unusual and has not been unusual for governments, long before 10 years ago, to run deficits. In fact, I think the Progressive Conservative government that was in power as long as most of us could remember prior to 1985 only balanced the budget once in that period of time.

**Mr Alvin Curling (Scarborough North):** I also wish to go on record commending the member for St Andrew-St Patrick for her very well-delivered first address. She's someone I have respected and known for some time, and I know she would bring the representation that is quite respected in the House and in her constituency.

Because of that, I want to give you a little bit of pressure, in a sense. My expectation of the member is that when it comes to your party's undemocratic process, which you, I know, do not agree with at times, you will speak up very loudly in the House in that regard, especially to Bill 26, this huge omnibus bill that is asking for a very dictatorial approach from government. I know that goes against the grain of the honourable member, because I know her very well. I know I can depend on her and some members of the Conservative Party to speak up against that.

I heard there is a little leeway from your House leader today, when he spoke about separating the bill into two parts or what have you. But we'd like to see public consultation, because there is so much to be learned from the people themselves when they make their presentations and make their concerns known about the direction they want to see their province go. I know you would like to see your constituency make that kind of contribution.

I want to congratulate you on your speech and I look forward to many, many debates as you make your presentations for your constituency.

**The Deputy Speaker:** The Chair recognizes the member for St Andrew-St Patrick for a response.

**Ms Bassett:** I'm not going to make any comment other than to thank the honourable members on the other side of the House for your grace and leniency today. It's appreciated, and I am listening. Thank you.

*Report continues in volume B.*





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First Session, 36th Parliament

## Assemblée législative de l'Ontario

Première session, 36<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Monday 4 December 1995

Lundi 4 décembre 1995



Speaker  
Honourable Allan K. McLean

Président  
L'honorable Allan K. McLean

Clerk  
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## LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 4 December 1995

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 4 décembre 1995

*Report continued from volume A.*

1810

### REPLIES TO ECONOMIC STATEMENT

**Mr Alvin Curling (Scarborough North):** Mr Speaker, I haven't had a chance to tell you how well you look in the sartorial splendour of that new uniform of yours, and I want to congratulate you in that way.

I welcome the opportunity to speak on the government's fiscal and economic statement of 1995. As you know, we were anxiously waiting for a budget, but we were denied that. We thought a Conservative government would have brought about a budget in order to show some balance of how it will go about creating jobs and dealing with the fiscal situation we are in today, the economic situation we are in today in Ontario. I was disappointed in that, but I presume we have to deal with this financial statement.

I will also take the opportunity to speak on the government's ever-famous, power-grabbing Bill 26 which has sweeping powers now given to some of the ministers. I find it so undemocratic. I'm actually a bit shocked, because I have worked with quite a few of the members over there whose mindset is not like that.

Someone said today that absolute power corrupts absolutely. I hope that between the point of this absolute power they want to grab for themselves, that will not corrupt them absolutely, that the opposition on this side will be able to bring to them some matter of sense or maybe bring to them the real common sense that they seem to be seeking and understand that the power doesn't lie in the elected members but really lies in the people, in the consultation process, in the input that we can get and sometimes even, surprise, the wisdom that we can get from our people. So I will be making some comment as I go along in my comments here.

As I see it, we have a democratic process that allows representation to be elected by the people, and what that does is it accesses the vision and allows the people to give the vision of where they would like to go to create their own destiny, to carve their own career and their own aspirations for their family and their children: a vision of equality, a vision where they can see themselves as a part of society and can play a role and celebrate some of the wealth that we have, and sometimes some of the frustrations that we have to bear with each other as we go along; in other words, able to express themselves into that and hope we get representatives who are able to understand that.

I see too that people would like to express their vision of liberty, their vision of freedom, enabling this wonderful province that they can speak and work and play in a place where it is freedom. A vision of justice they would like to express within their members.

But I feel, on that day when they had given the mandate to this government, that each day they're feeling, "Have I done something wrong?" I hope they're not wrong. I really hope they're not wrong in giving the mantle to the Conservative Party, because that's the choice of the people and we respect that.

I respect that wholeheartedly, that the people have chosen, of the three parties, the Progressive Conservative Party to rule them for the next four years, that what will come about is some prosperity, some sanity as to how we handle our economy, and that people do not see themselves as a power unto themselves.

But alas, I think some of this has been shattered because of some of the decisions that have been made just in the couple of months that this party has found itself as the government, and that in itself has triggered many, many calls to my office, and to many members' offices, of concerns.

One of the recent examples, if you've read on the weekend, there are over 300 families that were in homes and hostels who find themselves not able to have a home, and the government itself is paying almost \$1,300 a month just to accommodate them because of fear of non-affordable housing. They cannot find affordable housing, and this is rather frightening.

Therefore, as I sat here that day, arriving late to listen to the Minister of Finance make his financial statement, I was further perplexed by the fact that we were hurrying over from the buildings across the road to get here in time, meaning that we were shut out, as a matter of fact anxiously waiting to hear the statements, but he had already started upon his financial statements. I had hoped at that time that the Speaker of the day, which wasn't you at that time, Mr Speaker—and I know that it's quite possible you may have been quite attuned to the fact, that you'd say, "There must be something wrong here as to why the Leader of the Opposition is not here."

Many opposition members weren't here yet, because what happened was we were locked away over in the buildings across the road and told we could not move. As a matter of fact, I had the statement telling us—we had to sign it—that if we were in that lockup, we couldn't come out. There were police guards to tell us we could not leave until they told us to do so. But when we arrived, I saw that the minister had already made his statement and furthermore that the Management Board chairman had already delivered his stunning Bill 26, the power-grabbing piece of legislation.

I just wanted to mention a couple of things that are so frightening that have been happening to our province. He has a right, that Minister of Finance, to make his statement, what he has cut. I would say to the constituents of mine out there and many people in Ontario who may be



listening or may be watching, somehow flicking that little lever and finding out that their hospitals have been cut by \$1.3 billion—I'll get to that later on, where \$1.3 billion is to be cut from the hospital budget—there was a promise made by the Premier, or the leader of the Conservative Party at the time, that he would not touch it, not one cent he would have touched on that budget.

But the fact is—it's just a matter of emphasis, Mr Speaker; I know you don't like the props—not one cent would have been touched from that budget. It's all placed right in there. I don't know if you'd call it a prop too. It's the Common Sense Revolution document, and it's stated in there emphatically that you would not cut from it. But again, there he was: \$1.3 billion. He didn't stop there. He went further and cut another \$225 million from the Ontario drug benefit plan, and in a rather creative way. Therefore, almost \$1.5 billion is to be cut from hospitals and medicare.

Elementary schools and secondary schools had a cut of \$400 million; colleges and universities, \$400 million. I'll go back to those, because I want to emphasize to the people what impact this will have on them. Municipalities, \$658 million. Just think about it: higher taxes, maybe putting your garbage out. They're going to ask the municipalities to be rather creative. The fact is that you may be charging more to the people, the same one taxpayer.

I think you recall, Mr Speaker, when the Premier of the Conservative Party was speaking, and at one stage he said, "It's the same person that we keep taxing all the time." So what did he do? Although he did not flow any more money to the municipalities, he said he was going to give them more powers in order to tax the same individual he had been taxing all along. Then he can go on for the next four or five years to say: "I did not tax those people. It wasn't I who did that. It was the municipalities."

I'm telling the folks out there, be prepared for higher taxes: higher property tax, higher taxes in the sense of garbage collection, higher taxes in the sense of recycling. Look out for those kinds of creative things. The municipalities too will be concerned, very much so, as to where they are going to get the money to do most of the stuff. But we will see their creative nature.

1820

Let me go into detail about colleges and universities, the cuts there. Students actually, on average, pay about \$2,000 for tuition fees. They have seen increases in tuition fees over a couple of years. As a matter of fact, previous governments promised to almost eliminate tuition fees. That was a promise of one election some time ago, and that did not materialize. As a matter of fact, the reverse happened to those folks.

What happened was that tuition fees were increased, OSAP grants were eliminated and OSAP loans were reduced, so the individuals going to school had an increase in tuition fees, in costs to get education, one of the greatest investments we have.

We will be seeing people paying about an additional \$400 per year. The permission this minister has given to

the colleges—he said an immediate 10% increase to tuition fees and he is giving the power to the colleges so they can increase fees another 10%.

Just think of those people who are the middle class, fighting to try to send their kids through university, because today, if you don't have a university degree, the possibility of your getting a job to maintain yourself in a decent way is very difficult. But here we are making it more difficult. This government promised to have a fairer system, and that did not work.

Let me deal with the cuts to health care, which pain us. Mr Speaker, I saw your face as it cringed a bit when my leader for the Liberal Party was so frustrated as she watched the Premier going against his word, which was, I remind you, "Not one cent will I cut from that health care plan," not one cent.

What happened? He sat there and looked straight in our faces as he cut \$1.5 billion from it. He said, "I would resign if I did a thing like that." So what do we do? I could ask him very kindly to step down to bring some credibility back into the political process, so we could trust politicians. But I don't think he will resign.

I think he'll be there, because he feels: "So what? I'm in power now, and the process tells me I can continue to do what I have to do and proceed with my plan because it's good for the people"—good for the people who maybe will be lining up to get into emergency, lining up to get health care. The fact is that we can't blame anyone, because he will say at the end of the day, meaning at the end of four years, "I will put back that money."

I thought that's what I heard him say: "I didn't take out the \$1.5 billion. You wait until the end of the time, in the next four years, to see if I will put it back. Therefore, I did not take it out."

I'm a bit confused. I thought that when you take something out, it's gone. He said, "I will not touch one cent," not a cent of that money, and he went so far as to take \$1.5 billion out of that account. It's extremely painful to see what goes on.

I want to make some comments on that wonderful Bill 26, the bill we are dealing with. We should read it very carefully to see what it says. It's An Act to achieve Fiscal Savings and to promote Economic Prosperity through Public Sector Restructuring—some very popular words here—Streamlining and Efficiency and to implement other aspects of the Government's Economic Agenda.

As members have said, that sounds good. I think it's the right approach. There's nothing wrong with that. If you want to restructure and streamline, fine. Go to the people and ask them how they would like to see that.

You know what the Premier said today? "We got a mandate on election day and we'll act on it. We don't have to consult any more. We have consulted enough. We don't need to consult any more because we have listened to the people and that's it." That's dangerous. That is something I've heard in countries that have dictatorships, those who feel: "I am the power. I am the almighty. I don't need to consult any more with the people. I have all the wisdom here, so I will proceed."

We have said: "Just wait a second, Mr Premier and members of the Conservative Party. You were not the only people who were elected. There are people of the opposition who were elected and have a role to play." What he has done is to make sure that he takes away all those powers from us.

People outside may say, "Why is the opposition making so much noise about this bill?" I hope the members in the opposition—the backbench of the Conservative Party is so silent—will shout out and say, "They sent us here to speak." Let me tell you something, backbenchers. I've been there and I've been in cabinet too, and I'm telling you, where is your input? These decisions will be made by ministers sitting at the cabinet table, without even any consultation with you or any member in your constituency, not one.

**Interjections:** Caucus.

**Mr Curling:** Those poor individuals said, "Caucus." I ran through this bill and I saw nothing about caucus in here at all.

Take, for instance, part II, Amendments to the Public Hospitals Act. "The minister is given the broad power to fund hospitals in the public interest." Listen to this part: "The minister is given the power to reduce, suspend, withhold or terminate funding to a hospital if the minister considers it in the public interest to do so."

I don't know if those backbenchers who were shouting "Caucus" there saw that in it. I haven't seen anything about caucus. Where is your consultation? You mean that because you are privy to sit beside the minister in caucus you feel you've been consulted? That's not the way it's done. Consultation means listening to your ideas; you hope you can give some better views.

Part III "authorizes the Minister of Health to revoke the licence of a private hospital if the minister"—not the caucus or the people—"is of the opinion that it is in the public interest to do so." Talk about power. It "authorizes the Minister of Health to reduce or terminate any private hospital funding...."

I want to say to the backbenchers, I don't have a lot of history in here, just 10 years, but I can share that with you. Consultation doesn't start and stop with caucus members. It may start with the caucus members, and then you spread out to your constituency.

I'm going to appeal to all those who may just happen to turn on the tube. Get to know your member, call that member and ask if they can they have some input, some public consultation, about the changes they want to make in this very broad, sweeping, dictatorial, power-grabbing Bill 26. Ask them that. I don't know if the 1-800-MIKE line is still alive, but if 1-800-MIKE is there—maybe it's all shut off because he felt he had listened already and he doesn't need to listen any more.

But there is hope about all this. My House leader and the House leader for the New Democratic Party have made a suggestion to the House leader of the Progressive Conservative Party, because those are the three people who get together to arrange the agenda of the day and see how we can make the democratic process work more effectively. They have agreed, the House leader for the

New Democratic Party and the House leader for the Liberal Party, to stay here.

We know we like to go away at Christmas; we know the House was supposed to end on December 14. But we felt there is so much work to be done because the government has put us to work—and we're happy to do that work—that we said we can't do it in 14 days. We are prepared to go on, right to December 21 maybe. We know the work will not be done by that time either, even though we may sit till midnight. We were prepared to come back immediately in January after the holidays to sit down with this bill, to send it out for public hearings so that people can have a contribution.

**1830**

I'm going to appeal to you, Mr Speaker, and I know some of your pals are there and you can appeal to them to act in a democratic manner. But I'm going to appeal more to the backbenchers, not the ministers, who have their marching orders and stick to a script; if you notice how they answer questions, it's the same thing all the time. I'm appealing to the backbenchers that they themselves approach their ministers. And I'm going to carry the appeal beyond that: I appeal to the people outside to call the constituency office of your member and insist that you'd like to have input into this very wide omnibus bill that has so much power without any public consultation.

That's the beauty of democracy. The beauty of democracy is that you feel a part of the government, by the government, for the government. But what is happening? We don't have any input into all this.

I think there is hope. I have a strong belief in humanity, in people. I do, regardless of the stiff faces I see over there and the firmness: "We will not blink. We're just going to go straight on with our agenda," regardless of who dies in the hospitals, regardless of the hundreds of people who are homeless, the hundreds of people who are lining up who have no Christmas, who are saying to themselves today that they have to spend their time in some motel because the Minister of Housing has cut and slashed and cancelled all the non-profit housing that was being built and giving hope to people. Now they feel they are five and six and seven in a family in one room, the government paying \$1,300.

The government has closed its eyes to that, talked about privatization. They say they will sell off all the interest they have in non-profit housing and give it to the private sector, which will build—voodoo Reaganomics. They will build, and when the private sector is finished building on the top end of the market, sooner or later they'll come down and build affordable housing for people like you and me, Mr Speaker, you and me, who are struggling, and other people and friends you know who are earning within a family maybe \$25,000, \$35,000 a year, who can't afford to buy a \$500,000 home or a \$300,000 home or rent for \$1,500 or \$1,200. They hope that the government, because of its large assets of land and its economic structure, is able to support mortgages to build affordable housing. But this government wants to sell it off to the private sector like a fire sale, scrambling around.



I had calls in my office, at least 30 calls today, from people saying: "Am I going to lose my little place that I'm living in? Am I going to be thrown out? Is rent control going to go?" The minister has announced that he's going to sell them off to the private sector and let the market take its course, the market that only caters, if it has no regulations and control, to the top end of the market. I'm sure they have their friends out there who are lining up to buy them and I'm sure they may cut some sweetheart deals with them, but what happens to those people? What happens?

They said shelter allowance, telling the private sector: "We're going to guarantee you by propping it up. Buy these buildings and don't worry about it, because we will give shelter allowances." But watch out for that. I tell the people, watch out for that.

The fact is that they'll do it like what they did with the day care system. They will put the money in there and reduce all the support and say: "I have now given to more people. Go and rent from your uncle and your sisters and your aunt and your friends. Go and negotiate with the people in the basement." That's a lack of understanding altogether about what's out there in that market. You don't want to regulate that.

Let me tell you, even when the Conservative Party brought in rent control, it was in a haphazard manner, such an awful manner, that we had to say, "No, it has to be controlled all across the line." The fact is, they made a mess of it.

Rent control is important; rent regulation is important; rent review is important. If you leave it to the market there, they never even built that private sector, not one unit. They didn't build one, neither did they fix it and they want to blame it on that.

I want to quickly make one other point. I notice inside this document it says that job quotas were the main cause of why jobs were not created—so unfair, not recognizing the fact of employment equity itself, the systemic discrimination that goes on for the disabled, for women, for natives and for the minorities, that you completely ignore that, and I don't believe we should have employment equity only for those. It should be for the white male and the white female, everyone; it must be fair for all.

When you ignore the fact that discrimination is in the system, that tells you're going back to the old game, the old status quo, the fact that things are fine and we can get on. If there are any jobs left over, we can give them to those people because they are impediments in our society; they're in the way. If only they could just go away; if all those disabled people could just go away, we can get all those jobs—and they don't have to perform in our economy that has so much to do, so much to offer.

It's so unfair to think that job quotas, which you try to hide behind, the employment equity, were the cause of jobs not being created. People are looking to you for protection. That's why you collect their taxes. You collect their taxes so you can redistribute them in a manner of fairness and they can participate, not for you to have your few colleagues and those who are part of the loop participate and then you can dish it out accordingly.

I hope, in summary, that when we look back in the next three or four years some sense will have come to this Progressive Conservative Party—this kind of coldness that they have brought about in this government, in this province, this very rich province which has lots of money—how we distribute it. It's not the poor and the middle class that brought us here; it's not the poor at all that brought us here.

When you talk about the expenditures of the previous government, you were in power for 42 years and how many times did you balance the budget? How many times? Then in your own diagram right here, this balanced budget was at a time when the Liberal Party was in power. We balanced the budget at that time, so don't go out spreading the propaganda in any way.

It's not the middle class, it's not the poor, it's not the disabled, it's not the natives who have caused this recession. If that was the case, why are all these big companies still making these wonderful profits? What's happening? If there was a recession around, the recession really only lies in the middle class and the poor. They are the ones who are suffering and they expect their government, they expect you, the ministers, to be able to distribute this wealth in an equitable manner, not in the discriminatory manner of the old boys' network.

We need a fair system. We need a democratic process. We need public input. We need something to say, "I am proud to be Ontarian and I'm proud to be a part of this government." I tell you I will fight as long as I'm here to make sure of this democratic process. So while we on this side are shouting at you, "Respect the democratic process," and you think we're going to go away, we won't go away; we'll be there reminding you. I hope we can get some consent and some sort of sense of humanity, especially from the backbenchers, because the ministers have their walking orders, so one day we can come back to sanity and democracy.

**The Deputy Speaker (Mr Bert Johnson):** Comments and questions in rotation.

1840

**Mr David S. Cooke (Windsor-Riverside):** I just have one area that I would like to comment on in the member's speech. I know that the member is a former Minister of Housing and so am I, so I think we know a little bit about the state of the public housing stock in the province. When he specifically raised the issue of selling off the public housing stock I wondered if he had the same reaction I did when I read this in the paper. I'd heard of it from the Conservatives before but then heard about it again. I'm sure that his government looked at many of the options as we did, and one of the options we looked at very seriously was the conversion to co-op housing for some of the public housing projects.

I still think that's a good idea. We moved to one of the downtown projects to do that, and there are a couple of other projects in the province that would be ready to move in that direction now because there have been millions of dollars invested in those projects to bring them up to a level of acceptability.

I guess I'm curious in knowing what the member remembers and what his feelings are about how you

would be able to sell those units, because I think he would agree with me that before you could sell any of those projects or any of those units, it would take millions of dollars of reinvestment to bring them up to a satisfactory standard. If the government was silly enough to sell them off to the private sector, which I think the member would agree with me would be a terrible loss to the province, even though there's a need of reinvestment of a very valuable asset for the province, again you would have to invest millions of dollars to redesign those units, to reinvest in those units, to bring them up to a satisfactory standard before anyone would be interested in buying them.

I think there are a number of areas where ideologically the government can say, "We're going to sell them off because privatization is the mantra that we follow," but realistically it won't work and it would be a tragedy to lose that public investment that we've all contributed to over the years.

**Mr John Hastings (Etobicoke-Rexdale):** Mr Speaker, may I congratulate you on your new accoutrements; they look magnificent.

The only general comment I would make, having listened to the members opposite for a while, is I was trying to think when there will be a scintilla of a new idea, a creative solution to anything. We talk about the generalities of, "Everything is pretty good the way it is"; the theme of the member opposite for the Liberals was basically: "Never change a thing. Everything's pretty good the way it is." No wonder we have an omnibus bill in which the equation has been made that it's the economic terrorism of the War Measures Act, the usual scaremongering, not by this particular member but by one of his brethren we heard earlier today, the Finance critic.

You look at the omnibus bill, you look at one item: the capital investment plan dealing with toll roads and whether the tolls should continue. I don't see how that in itself is an equated form of economic terrorism. I think we need to look at trying to find some new changes. That's why we have this omnibus bill. As for public consultation, yes, we've had public consultation. We're still doing public consultation.

I am the parliamentary assistant to the Minister of Education, who was speaking with students at Humber College this morning about the Ontario student assistance program. I know that lots of other members of the government—ministers and parliamentary assistants and other fellow MPPs—have done the same. So much for the mythology that there's no consultation going on, at least in the grand scale of where they want to go out to large public consultation. The whole design of their proposal is to simply slow down what needs to be done, and what needs to be done is to get a handle on our fiscal problems. Of course they only say there really isn't a fiscal problem, just an invented one.

Mr Speaker, may I congratulate you again on your new accoutrements. You look fantastic.

**Mr Mario Sergio (Yorkview):** I have to really congratulate my colleague the member for Scarborough North for speaking truly from the commonsense side as it should be from the government's side. It was very

interesting to hear my colleagues speak, not on the content of the bill, because I think at the end of the day, given the majority that we have on the government side, they will be going through with whatever they wish to push. I think the attention has to be placed on exactly what the member was saying: The process itself is the most important, the most fundamental thing that is missing from the debate as we go through in this very minimal period of time that is allocated; the fact is that the democratic process is not being followed, is not being afforded to not only this House but the people out there.

We are here for the particular reason which the member for Scarborough North has alluded to: to speak on behalf of those people who cannot speak for themselves. When the democratic process is curtailed in such a way that we cannot represent the people out there, then democracy is not in action, democracy is not working and democracy is not alive and well in this particular House. This is the most unfortunate thing.

The bill is so huge that it affects practically every sector of our communities. I think it's incumbent upon each member of the House, regardless of party lines, to let the people out there know exactly what's in it for them, how they're going to be affected on a day-to-day basis, from hospitals to drug benefit programs to schools to health services and stuff like that. I hope we will have the chance to speak for our people, on behalf of our people, in this House.

**Mr Doug Galt (Northumberland):** To the member for Scarborough North, congratulations on your presentation, but I would like to make reference to your comments about the consultation. Certainly it has been unprecedented. Our party went out and for at least three years discussed and visited with people in the cities and in the towns and in the country to find out what their opinions were. We then put it in writing, put it before the people of Ontario and that's what they elected us on. I think you should recognize that there's been that kind of consultation going on. Our caucus is in fact very democratic in how it operates. Maybe that isn't how your caucus acted, but in fact our caucus does perform in a very democratic sort of way.

The member made reference to powers of the ministers, powers of cabinet. This happens to be a British system that we're functioning in and they do have tremendous powers. What you're referring to really isn't anything new in the British system.

He made comments about, "The poor didn't cause this problem with the debt; the naked didn't cause it." Well, that's quite true, but I can agree with him that all the parties probably have contributed to some extent to the debt. But I think if we were to really look at where the debt started and how this whole evolution began, we could look to the father of the deficit, the father of the debt, a Liberal: Mr Trudeau. He was the one who really triggered the whole thing, set it all in motion back in the early 1970s. Laugh if you want. Go back and have a look at how it all got triggered and how it got rolling along.

We were in an economic boom at the time that you say you balanced your budget, but if you look back and think about it, you didn't plan to balance it; you actually



planned for a deficit. It was by good luck that extra revenues came in from the federal government. If you look at economics and how you should have been operating, you should have been saving some money so that when the NDP got in, to try to bail themselves out of the deficit, out of the debt problem, out of the recession, they would have had some dollars to do it with.

**The Deputy Speaker:** The member's time has expired.

**Mr Galt:** They had a better idea than you did.

**Mr Curling:** In my two minutes I would say, in response to my colleague the member for Windsor-Riverside—as he said, we shared the same portfolio of Housing—yes, the Liberals did visit the fact that if we should ever sell off non-profit housing and co-op housing, what would happen.

I took a trip around and I looked at England. The Thatcherites wanted to sell off their co-ops, which they did, and what happened? Even today they have all these ghettos sitting around in England because they sold off the good stock, and now they are wondering, should they have done this?

I think it's the wrong direction to go. I think today, as you can see even from the 302 homeless families that are living right now in motel rooms, they would be able to look forward to something that the government would have owned or have an interest in, but you want to sell it off. I think it's a wrong direction and I hope you reconsider that. I think the minister should be told that in hard terms.

My last couple of seconds is, again, my appeal to those members who feel that they're in—what do they call it? The British democratic process? I don't know what that is, but the fact is I'm telling you, forget all about the British and all that. Just make sure of your participation, that your people are told about the draconian situation happening here and they can have some input into Bill 26, which will change the way we conduct business in a democratic process in this province.

I think it's wrong, it's wrong, it's wrong, and that it will come to haunt you. The only reason I'm appealing to you is that I love this province and this country as much as you, I hope, and I'm not as selfish in my approach as they are in proceeding this way with Bill 26.

1850

**The Deputy Speaker:** Further debate.

**Mr Cooke:** I want to begin by responding to a couple of issues that have been raised in the last couple of minutes. I'm not quite sure what the member's reference to the British parliamentary system is all about. I don't believe there's any tradition in British parliamentary history that says it's appropriate for the Legislature or the legislators to give all power over to cabinet.

In fact, it's one of our major responsibilities as members of the Legislature—government members or opposition members—to hold the executive council accountable and to not give them so much power that there's no accountability left here. It's our responsibility, it's our job to hold the government accountable, and that goes for all members of the Legislature who are not members of the executive council.

I also just briefly want to refer to the comment that was made by one of the Conservative members about the father of all deficits. I'm obviously not a fan of and wasn't a fan of Pierre Elliott Trudeau, but throughout those years, yes, there were very large deficits developed at the federal level. But let's be realistic. Here in Ontario, in the entire time that Bill Davis was the Premier of this province, he had not one balanced budget. The deficits got bigger and bigger and bigger and the debt got bigger and bigger and bigger. In fact, we didn't have unbalanced budgets in this province until I believe the late 1960s.

If memory serves me correctly, the entire budget for the province didn't reach \$1 billion until 1967, and then it began to double very quickly. Of course when we developed a medicare program in the province, the cost of government increased. When there was more of a commitment to public education, the cost of government increased. But we don't need a lecture from Conservatives about balancing a budget. Bill Davis, the last Tory Premier, with the exception of Mr Miller, who was only there for days, never had one balanced budget.

So don't lecture us about fiscal responsibility at all. It doesn't make any sense, it's not accurate, it doesn't reflect—if you take a look at the deficits of the early 1980s, when it reached nearly \$4 billion, when Mr Miller, a very conservative Conservative, was the Treasurer, that happened because of a very deep recession. As a percentage of the budget, as a percentage of our gross provincial product, the deficits in the beginning of the 1980s were comparable to the deficits that we ran in the beginning of the 1990s. That is a fact.

**Hon Charles Harnick (Attorney General, minister responsible for native affairs):** How much were you paying on interest then and how much now? Why don't you tell us?

**Mr Cooke:** I think it's realistic to take a look, Charles, at the deficits that Mr Davis ran over the years, and don't point all of the time—

**Hon Mr Harnick:** How much were we paying on interest then and how much are we paying now

**Mr Cooke:** Well, the fact is that under the laws that we have in this province that your government established, even at the municipal level, as a percentage of the total expenditures at the municipal level, the Municipal Act says you can spend up to 20% on debt repayment. That's the guideline that's used for municipalities. We're not there provincially. We're not there as a percentage of our deficit, we're not at 20%, so we're not in bad shape in this province.

Coming through what was basically a recession, a depression in this province, where expenditures do go up, that is a reality. I think that it's a good line for the Conservatives to use in an election, and they always tend to. They always used to run campaigns in the 1970s and 1980s saying, "We're the party that's going to get our financial house in order."

Davis never did it, and I guarantee you that when you take a look at the numbers that were presented last week in the budget statement, you will see that the deficit is not coming down and, as was revealed on Thursday after-

noon, the numbers that Mr Eves presented of an \$8.7-billion deficit next year did not include the \$2.5 billion in tax decreases that he's got for next year.

When you add the two together, as the credit rating agencies said at the end of last week, the deficit is going to be at \$10.9 billion next year. That's going to be the deficit figure. If they then take some money and reinvest it in health care, as they've been saying they're going to do, we'll be at a deficit of over \$11 billion.

Let's not forget the experience of Ronald Reagan in a country not too far from here. He was the one who was going to balance the American budget. What did he do? He doubled it. He got them up to \$4 trillion of accumulated debt. He did exactly what this party is planning on doing. He said, "We're going to cut down on expenditures, we're going to give a big tax decrease, and somehow that's going to result in a balanced budget," and what it did was it resulted in the largest budget deficits in the history of the US. They doubled the accumulated debt for the federal government in the US. We'll see what happens here, but that's the exact direction that we're heading in, very clearly.

I also find it very interesting to hear from this government when we're talking about this omnibus bill that has been introduced into the Legislature, Bill 26. I remember hearing, when we were in government, lectures from Mr Eves and from Mr Harris that we needed to consult the public, that the public had to be involved, that there should be more referendums.

What do we see in this omnibus bill? We don't see anything in terms of democracy. We don't see anything in terms of community involvement. We see the biggest power grab from communities in the history of this province, and it's being talked about from one end of this province to the other end.

I know that many of the members, especially from outside of Metropolitan Toronto, when they went home on the weekend heard loud and clear from their constituents that this power grab by the provincial government is not on. This is not something that is supported by the people of this province.

How can you on one hand say that you support community empowerment, that you support the people of this province being decision-makers, that you support communities being able to take more control over their own lives, and then say in an omnibus bill: "We're going to take back control of who's going to close hospitals. We're going to take back control at the provincial level over who's going to draw the boundaries for municipalities. We're even going to go to the extent that if the GTA, the greater Toronto area, is going to be redesigned, we can do that in cabinet by order in council. It's not going to be done by the Legislature; it's not going to be done with consultation."

Then the most bizarre statement today, from the Minister of Health again, in a scrum, saying, "Yes, we're going to take over this control to close hospitals, to say where doctors can practise, to say who can practise, take all of that control over centrally, but we don't plan on using it." That was a clip on the TV news tonight.

That is the most bizarre, stupid statement I have heard from a minister in a long time. "We're going to pass a law giving me all the power, as the Minister of Health, but we're only kidding. We're never going to use that power. We're not going to use it. We just want the power there." What? To dangle over people's heads? To threaten them and say to the doctors, "You either do what we want you to do or we're going to use that power that we've now got"? That's intimidation. That's an abuse of power.

In fact, the whole process on this omnibus bill is an abuse of power. I ask the Tory backbenchers, how many of you were consulted on the omnibus bill before it came into the House?

**Mr Peter Preston (Brant-Haldimand):** All of us.

**Mr Cooke:** If all of you were consulted then, why were so many members coming to my office asking for a copy of the bill last Thursday afternoon? We actually gave out copies of the bill, loaned out copies of our bill, to your own backbenchers who wanted to read the legislation.

**Mr Preston:** Name one.

**Mr Cooke:** I can name one from Etobicoke for sure, and there were others. If you want to say on the record here today that, yes, you had copies of the bill, then fine, but we know different and you know different. The fact of the matter is that you weren't consulted on the omnibus bill at all.

I can tell you, with some pride, whether you like the policies that our government brought in or not is irrelevant, but the process that we used with our own caucus was one whereby legislation could not come into the Legislature unless it was presented to caucus and it was endorsed by caucus. It had to get caucus approval, and that was built into the approvals process. You can ask the members of the public service and the ministries where you might work as parliamentary assistants.

**1900**

The fact is, the approvals process was slowed down and it was slowed down because we insisted that after cabinet made a recommendation to caucus, caucus had to approve all pieces of legislation before they were introduced into the House. If they didn't have caucus approval, they couldn't be introduced into the House. The only exceptions were tax bills that were part of a budget, because that is obviously always subject to the budget approval process and a Treasurer has to have that ability, because no one can be told about tax measures before they're announced in a budget.

But I'm telling you that you cannot argue on one hand that you're going to have a more democratic process and then say, "We're going to grab power from the communities," and the caucus members in your own party were not even consulted on this omnibus bill before it was brought into the House.

I'm also going to say—

**Mr Bill Murdoch (Grey-Owen Sound):** They have to come to caucus to get consulted.

**Mr Cooke:** If you can say with a straight face that you were actually aware of the omnibus bill and all the



details in the omnibus bill before it came here, then I'd like you to say that, but I don't believe it's the case because I've had too many of your own backbenchers come and tell me quite different, that they weren't involved in the approvals process.

I can tell you also when we brought in a program called the expenditure control program, which was a \$2-billion cut in expenditures in the province, we had a weekend whereby cabinet went off after all the ministers had reviewed their expenditures in their own ministry. They then made recommendations for cuts, because we were all assigned targets in our own ministries to achieve.

We came up with those recommendations, we went to cabinet, they were then reviewed. Some were accepted, some were rejected. Before the expenditure control program was announced to the public, it had to go to caucus and we had to explain every one of the cuts and caucus had to approve of those cuts. Some were approved, some were rejected. If they were rejected, then cabinet had to go back and find the dollars that caucus rejected.

Are you going to tell me that you were consulted on the \$6 billion worth of cuts? Nonsense. Absolute nonsense. You were not consulted at all. You're expected to go back to your ridings and defend those cuts, but you're not part of the process at all. This was the party that tried to adopt the Reform-style philosophy that members were to come here and to fight for their ridings and fight for the people they represent, and I'm telling you, you're not doing it. You're not doing it at all. You're a bunch of hypocrites who said one thing when the election was on—

**Mr Murdoch:** On a point of order, Mr Speaker: I believe that's unparliamentary and I would request that the member withdraw his remarks.

**The Deputy Speaker:** I didn't see anything unparliamentary about the general nature of the comment.

**Mr Cooke:** There isn't. There was one thing that was said when you guys were in opposition, that you were going to be a different governing party, that your members were going to be empowered, that you were going to come here and represent your constituencies, that you were going to be real MPPs who could voice your opinions, not have to follow the party line, and on the two biggest announcements that have been made so far, the expenditure control program, the \$6 billion worth of cuts and the omnibus legislation, you were not involved at all.

You were completely out of the loop and you weren't part of the process at all. But when it comes to voting on the legislation, your Premier's going to turn around, your whip's going to look at you and they're going to say, "Stand up and support us." It's just the same way that it always was in the 42 years that your party was here before. You're all taken for granted—

**The Deputy Speaker:** Maybe the member would address his comments to the Chair.

**Mr Cooke:** —and if you don't speak up in caucus now, if you let them get away with this now, without any involvement, you're going to have it this way for the next four and a half years.

It may be easy to accept it now, when you're at 50% in the polls; you're down 8% in one month. It might be easy, you might feel good about doing it now, but when times get tough and you're down to 30%, down to 25%, then they're going to say: "Sorry, that's not the process. That's not what we've done in the first few years in government." You're not involved now. They've made all the decisions for you. They get to make the decisions which will determine your future as politicians in this place.

I'm going to tell you, there are parts of decisions that have been made by this government that I hope some caucus members will begin to take a look at. The omnibus bill is really one of the most outrageous pieces of legislation ever introduced in this place, and the process they're going to follow of saying that this bill has to pass in its entirety before Christmas is an absolute smack in the face of democracy in this province.

Take a look at those powers. We'll go through it in more detail when we debate this bill, but you take a look at the powers in that bill. There is no way that should happen without public hearings. There's got to be public hearings.

I'm not saying that every power being looked at, every provision in that legislation, is something I disagree with. There are things I agree with. The sunshine legislation is something I agree with. I'm even prepared to take a look at some of the provisions in the Municipal Affairs area, trying to streamline the process for defining boundaries and reorganizing local governments. But I think it's important that there are some other provisions. There's got to be a process that guarantees community involvement. When I was there, we were looking at an arbitration process that would go out and have hearings, listen to different points of view, and there'd eventually be an arbitrator who would then make the decision on the boundaries.

Some of the processes in place in the past are ridiculous. The Sarnia-Clearwater annexation took 23 years. That's ridiculous. You can't update and modernize local government when it takes nearly a quarter of a century for one change. The London-Middlesex annexation/amalgamation, I might point out, the member from Grey county fought tooth and nail, saying it was dictatorial, wasn't democratic. The fact of the matter was that it took 12 years to get there. After an arbitration process took place at the local level, there was a piece of legislation. We debated it here for second reading, we had public hearings in London, and then it got third reading.

Now that member's prepared to support a process that says that if London-Middlesex ever occurred again, it wouldn't even come to the Legislature. It wouldn't even be debated in the Legislature.

**Mr Murdoch:** You wasted time and didn't even listen to us. You didn't prove anything by debating it.

**Mr Cooke:** You don't even know what's in the bill. The fact is, if there were ever a London-Middlesex annexation/amalgamation again, there would never be a need for public hearings, there would never be a need for legislation. It would all be done in cabinet by a motion in cabinet called an order in council.

That is undemocratic, that is unfair, and if the member opposed the London-Middlesex bill that involved the public and took 12 years, then surely to God he cannot support that provision—

*Interjection.*

**Mr Cooke:** Maybe the member wants to get on the list and give his maiden speech instead of doing it by interjection. Mr Speaker, opposition members are allowed to interject. Government members have to sit there and be calm. Those are the rules of the game. Believe me, if it's not in the standing orders now, it will be.

**Mr Derwyn Shea (High Park-Swansea):** We'll put it there.

**Mr Cooke:** Yes, I'm sure you will.

All I'm saying is that when you take a look at the positions some of the returning Conservative members took, when we looked at some of the same issues under different circumstances, they said something quite different. Now their government's bringing in legislation that will centralize more power with cabinet than has ever occurred before, has ever been the case in the history of this province. They cannot say one thing when they were over here and now say something over there while they're in government and say there's a big change. This is dictatorship.

That's exactly what this bill will do. By putting so much power with individual cabinet ministers, it cuts everybody out. It cuts all the opposition members out. It cuts all the Conservative backbenchers out—

**Mr Murdoch:** Talk about dictatorship. Let's talk about the time that you and Ruth Grier came to Grey county.

**The Deputy Speaker:** Would the member for Grey-Owen Sound come to order, please.

1910

**Mr Cooke:** More important than keeping the members of the Legislature involved in the debate—and I do think that is very important—what concerns me as much or more is that this government is cutting the people of the province out of the debate.

There's no doubt at all that the timing of this omnibus bill was planned, no doubt at all. It comes in on the second-last day that you can introduce legislation before the adjournment for Christmas. That's when it comes in, and then they say they want it done in eight days before Christmas. They've got all these powers that will now be centralized, the reason being that there are two weeks to debate it, and they know it takes a lot longer for municipal councils, for hospital boards, for doctors, for general members of the community to understand what's in the legislation, so they can ram it through, adjourn the House and the public never becomes aware of it.

And they had the gall to lecture us when we were in government about democratic processes. What a pile of crap, to be quite blunt about it. What a pile of crap we got from these people for four and a half years, lectures from them about what the democratic process should be all about, and then they have the gall to bring in this piece of legislation which is the most obnoxious, anti-democratic legislation ever in this House.

Are the members of the opposition upset? You're damn right we're upset. If you go home to your communities and talk to people—talk to doctors. Talk to them and they'll say, "We never believed we would get this from a Tory government."

I met with the executive of the Windsor chamber of commerce with my two Liberals colleagues last week. To a person, the chamber of commerce executive in Windsor said they were opposed to this legislation and they're opposed to the budget because it's based on a tax decrease. As one member said—and I will not repeat her name, and she's a card-carrying Tory, perhaps one of the last red Tories in the province: "I don't want the tax decrease. It's blood money that I want no part of. I do not want tax rebates when I see people in my community living on the streets, when I see people I've worked with as a lawyer losing their homes because their welfare benefits have gone down so dramatically that there's no ability to pay rent." They've got a choice to make: to buy food and clothes for their kids or pay their rent.

Those kinds of choices mean that if a person who's got a decent income is going to get additional money because of a tax decrease, it's blood money. It's at the expense of the kids of the province, it's at the expense of the most needy in this province, and it's absolute shame. It's not in the long tradition of Conservative governments, Liberal governments and our government in this province of caring for the poor in one of the richest societies in the entire world. It's wrong. It's immoral and it's something we've all got to speak out against.

This government is anti-democratic. This government is disadvantaging the poorest people in this province and the kids of this province.

There are other things in this bill, other things in the budget statement last week, that the Tory backbenchers have to raise with their cabinet ministers. I'm going to raise one. I don't represent a seat in Toronto, but I used to be Minister of Education and Training and I know how the grants are distributed in this province. There's \$400 million coming out of the general legislative grants for schools.

When the social contract came in there was a provision that money from those cuts in budgets would come out of the Metropolitan Toronto School Board and the Ottawa school board, that they'd get nothing or very little in the way of general legislative grants. Nearly \$100 million, under the social contract, came out of Metropolitan Toronto's educational resources so the cuts in the budget were spread out across the entire province.

Last week this government cut \$400 million out of the general legislative grants. There is no provision to share those budget reductions with Metropolitan Toronto and Ottawa. The end result is that all \$400 million has to come out of all the school boards in the rest of the province. Metro Toronto and Ottawa are exempt. That means the Windsor board, the Hamilton board, the London board, all of your boards, are going to be paying the costs of Metropolitan Toronto. That's the reality. You're going to see millions of dollars of additional cuts to your school boards.



You're going to see the Hamilton-Wentworth separate school board come to near bankruptcy, if it doesn't go bankrupt. They already had a big debt.

You're going to see the York separate school board, that went through a massive restructuring—and you remember those cuts—to deal with budget cuts now get cut more. They're going to go back into debt.

There are about 20 school boards in this province that have annual deficits because we don't share the commercial and industrial assessment equally at the local level. That's been one of the difficulties flowing out of the extension of funding in 1985. We took some steps towards it and the Liberals did too, but it was not enough and we said that. There needed to be more work done on education finance reform.

But what you have done by cutting the \$400 million out and not including the Metropolitan Toronto public school board and the Ottawa public school board is that you have taken a massive step backward from education finance reform. You now have disadvantaged every other child in this province to a much greater extent than anything in the past. You can't allow this to happen. There are going to be school boards that go bankrupt. It's going to come home to roost in your communities.

The Metropolitan Toronto School Board will be able to afford to continue with junior kindergarten, special education programs, lower class sizes. Who's going to pay the cost? Your kids and my kids, because there's no sharing of the reductions and the expenditures.

You can't allow this to happen. The only way it's going to be changed is if you raise these matters in your caucus meeting. You've got to go in and you've got to say, "This is unfair." It's not proper that the biggest city and the richest city in terms of commercial and industrial assessment is going to continue to have an advantage. They spend nearly \$9,000 per student in Metro. There are boards in this province, in eastern Ontario in particular, that spend around \$4,500 per student. The inequities are incredible, and the inequities now are going to grow. They're going to grow by \$400 million. You can't allow this to continue.

**Mr Shea:** So are the special requirements going to grow. You should know. Shame on us.

**Mr Cooke:** I can understand why you would defend it. Any Metropolitan Toronto member, and he is one of them, is going to say: "Don't listen to them. Don't touch Metropolitan Toronto. I represent Metropolitan Toronto." That's what he'll say to you.

But you can't allow this to happen. We had this discussion in our caucus when we were in government and we came to the conclusion that if you're going to cut back on school boards, you have to cut back across the board, that every board has to experience the pain and contribute to the solution. Metropolitan Toronto's share should be about \$90 million. If you don't change that, that means all the others boards in the province are going to have to pick up that \$90 million.

I'm going to finish by making a couple more comments about this omnibus bill. As I said earlier, I may agree with some of the provisions in this legislation. I do,

as I said before, agree with the sunshine legislation. I even think it would be appropriate to talk about some of the provisions in here dealing with restructuring and whether there can be a process put in place that leads to—I look at my own community, the process that's been used by ministers of Health as an example all across Ontario, of how we've gone from four hospitals to two hospitals.

The process is in a bit of chaos now because the current government has said that the saving in the operating grants due to going from four to two, about \$22 million, that was going to be reinvested into community supports is now going to be put towards deficit reduction instead. You can understand why that has resulted in the labour unions pulling out of the restructuring process and many in our community now saying, "We don't want to have anything to do with it."

But it can be done at the local level and I agree that there are some processes and tools the minister might need to make sure that happens across the province. I don't think the right way to go about it is to drop a piece of legislation in this House on the second-last day that legislation can be introduced and say: "We want it passed before the House adjourns. I want these powers and that's the way it's going to be, and I don't give a damn what the people of the province think, what the opposition thinks or even what the Tory backbenchers think."

I look at the Ontario Drug Benefit Act. I have serious concerns about deregulating any controls on drug prices in this province. I was involved in the debate—I think Murray Elston was the Minister of Health at the time—when Bills 54 and 55 were introduced under the Liberal government: extensive public hearings, very controversial. I'll give the Liberals credit; it was a very controversial subject. There were full public hearings. There was no effort to try to shove that stuff through the House. They had the majority. I think they had 95 members, 13 more than you've got. They didn't try to do it with their majority and whip it through the Legislature. There were public hearings.

I ask the members of the Conservative caucus to take a look at this bill. When you hear your Premier and your Deputy Premier say, "There's no precedent here. There have been omnibus bills in the past that amend 50 pieces of legislation, or 100," take a look at what those amendments were. You'll see they weren't nearly as significant. They weren't major pieces of legislation. This is the time for the Tory back bench to speak up now. The people of this province are relying on you to see that the democratic process is preserved, and that has to be done tomorrow.

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**Mr Rob Sampson (Mississauga West):** I just want to spend a few minutes speaking to my friend from Windsor-Riverside's point. One of the few things I've learned so far in the House is that we can always count on that member to give us a rather stirring and I think very thoughtful presentation. But I do want to speak to some items he was talking to when he was focusing on the debt and deficit, which I think is the crux of the discussion here tonight, as opposed to Bill 26.

He was concerned that during the 1980s and perhaps prior to that, during the 1970s, there were indeed some operating deficits that were raised by Conservative governments. In fact, he's correct; in a couple of years there were. I'm looking at numbers here from 1973, for instance, until 1985. There was an operating deficit run in eight out of those 12 years. But I should tell—

**Mr Cooke:** Oh, oh. Now we're separating operating from capital.

**Mr Sampson:** I should tell the member that that is what you did numerous times when you took a look at your best statements.

**Mr Cooke:** You said that was the wrong thing to do.

**Mr Sampson:** But let's look at what these numbers were, and the magnitude of these numbers. The largest was about \$1 billion and change in 1982, which at that point in time was 0.6% of the GDP of Ontario. That's to be compared to a number such as—oh, let's just pick one here—\$11.7 billion in 1993-94.

**Mr Cooke:** That's capital and operating.

**Mr Sampson:** Okay, you want to talk about capital and operating. I'll do that. That number was a total of \$3 billion. That would change the GDP number to debt to about 1.1% as opposed to the 5.9% that their government engineered. So we're talking about orders of magnitude completely different.

By the way, when that deficit was at \$3 billion, that happened to be the depths of the 1980 recession. In the depths of the 1990 recession, these people chose to run up \$11 billion.

**The Deputy Speaker:** The member's time has expired.

**Mr James J. Bradley (St Catharines):** I know that the member wanted to mention the situation with Bethlehem Place in St Catharines. He alluded to it when he talked about the overall expenditures of the government. It's an extremely effective second-stage housing development in our community which was established initially with the strong support and with a lot of the legwork being done by the council of churches and all the individual churches in St Catharines. The member was mentioning the cuts that have taken place and included in those, of course, are cuts to second-stage housing in terms of the counselling that is provided.

This has been a very successful operation in our community. In fact, there's a great cross-section of people of all political backgrounds who are strongly supportive of the efforts of those who established and operate Bethlehem Place. It meets what the government is looking for and what I think all people are looking for, that is, one important criterion of moving people from dependency on social assistance and in some cases dependency on substances that are illegal and some that are legal. It has turned the lives of many of these people around, yet the government has announced that it is completely removing the funding for the counselling services at Bethlehem Place.

There are even those in our community who have suggested that the churches take up the slack, that the churches take over in terms of this funding of social

assistance. Everyone knows that churches themselves are often struggling to keep out of the red ink because they're asked to do a lot of things within a community. I hope that the government—and the Minister of Community and Social Services is here this afternoon—will restore that funding which is so important to second-stage housing in our community.

**Mr Gilles Bisson (Cochrane South):** I just want to comment on the speech made by the member for Windsor-Riverside, the House leader of the NDP caucus. I want to speak specifically to what he talked about in regard to the legislative approval process, because I was a member of the government from 1990 to 1995, where we as a caucus in entirety had a legitimate process established by which all members of our caucus worked at legislation that was being brought forward in the House and at the end the caucus had an approval process.

The strength of that was that I was forced as a member, because of that, because of the responsibility put on me through that process, to go back to my constituency of Cochrane South, to meet with the people in my constituency, to talk to the mayors in council, to talk to the average citizens, to talk to all people that were concerned with issues that were going on within the legislative requirements of this assembly, so that I could bring back into my caucus and eventually on to the floor of this House their particular concerns.

What greatly disturbs me about what this government is doing is the unilateral process that they've taken upon themselves to be able to move legislation forward in this House. What we have is a small circle of people around the Premier—the House leader, the Minister of Finance, the Management Board person, Mr Wilson, the Minister of Health—who make a whole bunch of decisions about how democracy and how programs will—

**Mr John Gerretsen (Kingston and The Islands):** Don't forget the Minister of Community and Social Services.

**Mr Bisson:** I don't think he's even in the circle, quite frankly. He's been out of the loop for a long time.

The point is that these people are making decisions about how programs are going to be modified in this province and about how the processes of democracy are going to work. What disturbs me is that when backbenchers within the government are not involved—because I was there—it means that democracy is not well served.

I would hope that the Conservative members on the back bench recognize something: that your political futures as members of this assembly are very much tied to what your leader does and to what the cabinet does. I would hope that the members of the Conservative back bench would at least try to bring forward into the centre the views of the people of this province and not just sit there like a bunch of trained seals.

**Mr Cooke:** With respect to my colleague the member for Cochrane South, I don't particularly see any problem with House leaders and leaders being very close to one another. I've always found it to be quite a useful process. But I do want to make a couple of comments, especially



about the comments made by my Conservative colleague who spoke first.

I think you've got to take a look at the fact that the deficit situation has been a little more complicated than he might indicate. First of all, he's comparing apples with oranges when he talks about the Conservative budget deficits on the operating side and neglects the capital deficits and then says the NDP deficit was \$11.7 billion, which includes figures, quite frankly, from some crown corporations.

Yes, the Provincial Auditor has been arguing about this, but I happen to disagree. When you take a look at the American jurisdictions and how they report their deficits, Michigan, Florida, everybody has a balanced budget. The reality is that none of them have a balanced budget. They all have capital debts, they all carry capital debts, but they never report them that way at all.

For the member on one hand to be comparing Bill Davis's record of never having a balanced budget and talking only about the operating deficit and then comparing that not just with our capital and our operating debt but also with the debt of crown corporations is to compare apples and oranges. The fact is that there are crown corporations that even Bill Davis didn't report that had deficits. The way the auditor wants it reported, I guess that's the way it will be done.

The other thing is that there were increases in the operating debt, and part of that was because the federal government withdrew from social services under the Canada assistance plan and put a huge burden on this province that, quite frankly, we still haven't recovered from and treated us differently than Quebec, Manitoba, virtually all of the other provinces with the exception of Alberta and British Columbia.

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**The Deputy Speaker:** Further debate.

**Mr Sampson:** It is with great pleasure that I rise today to speak to the economic statement debate because to a large degree it represents the principles and the very reason why I chose to put a career in the financial services industry on hold and enter this rather interesting world of politics.

The economic statement also happens to reflect the principles of the riding that I represent in the city of Mississauga and the way in which that city and that riding have operated financially and fiscally over the last while.

But before I get to the economic statement specifically, I would like to take the opportunity to acknowledge a few people and give a brief overview of my riding.

The area we now call Mississauga West has a long history of strong representatives. My immediate predecessor, Steve Mahoney, represented this riding both in government and opposition for eight years and worked hard for his constituents. Steve was very helpful in ensuring a smooth transition for the residents of Mississauga West after the June 8 election, and I want to thank Steve for his help and support and for waging a very tough but fair campaign.

**Mr Bisson:** I didn't like his position on labour stuff.

**Mr Sampson:** I didn't like his position on labour stuff either.

I would be remiss if I didn't mention Mr Doug Kennedy, a man whom I respect and whose advice and experience have been invaluable to me in my short career in politics. Mr Kennedy represented the area when the riding was called Peel South, from 1967 to 1985. Throughout the election and in the period I just mentioned and, in going forward, I hope Doug will be around to help me and give me a wealth of knowledge and experience that I can use and I will use. I would like to thank him in this House for his help and his service to Mississaugans.

With the exception of three years, Mr Kennedy's great-uncle, Colonel Thomas L. Kennedy, was the member for Peel from 1919 to 1959. These gentlemen, these Kennedys, have set very high standards indeed but none the less a tradition I am determined to live up to.

Through the time of Colonel Kennedy, Mr Kennedy, Steve Mahoney and myself, Mississauga has changed considerably. It has been transformed from several rural towns to a large, vibrant but viable and, yes, even a debt-free city. Both small and large businesses consider Mississauga a favourable place to do business. While the rest of the province was in recession, Mississauga was doing well, and the question remains why.

**Mr Gerretsen:** Because of Hazel McCallion.

**Mr Sampson:** That's right. My friend from Kingston, who once was a mayor and will understand the difficulties of being a mayor, will understand that much to the credit of Mayor Hazel McCallion and city council, the city of Mississauga is indeed debt-free. They have balanced their books and established the city as a place encouraging investment. If only the province had been so lucky.

Many people still consider Mississauga a suburb or bedroom community and, although many residents do work in Toronto, Mississauga has its own thriving business community. I would like to take a few moments to outline just a few examples that have occurred since June 8 of how this business community is indeed thriving.

The benefits of a business-friendly government can already be seen in my riding. Xerox Canada has recently announced expansion plans and adding to its research and development facility, facilities that will deal with research and development activities for Xerox globally. The expansion will create 300 construction jobs and will employ 200 technologists and engineers, in addition to the existing 750 employees.

Xerox is not only the success story in the riding, nor the only company to see the advantages of locating in Mississauga. I recently had the opportunity of attending a Consumers Distributing retail store opening which will create 100 full-time and part-time jobs. This is the expansion of retail in a period where economic progress seems to be flat.

However, Mississauga's business community consists of more than just big business. There is a thriving small business community in all areas of the economy, from the local variety store to the small manufacturer, and they are

all looking forward to the changes that I campaigned on in the past election. They're all geared and they're all anxious for us to create a friendly business climate that will help create jobs. That's what employers, employees and the members in this House all want, I believe.

Now let me turn to the economic statement presented by the Minister of Finance the other day. This document represents our government's response to the frustrations of Ontarians. Like a number of Ontarians, I was indeed frustrated with what we were getting out of our government. I felt abandoned by the previous leaders of this province. As a consumer, I felt abandoned and I was concerned that these leaders had no vision of what the future of this province should be. I was fed up with the disregard for the way in which my tax dollars were spent and, frankly, I was concerned that there was no outlook for the businesses that were plagued by the mismanagement of the Ontario economy.

I saw similar frustrations in my day-to-day dealings with clients as I went to work on a daily basis in the financial services sector. I witnessed the accelerated pace of not only the exit of business from Ontario but of foreign investors who, when they came and looked, very quickly left—chose not to invest in this province.

No one can quarrel with the intention of governments to attempt to manage the gap between those who have and those who don't have or to try to manage the level of economic wellbeing of a people or a province. These, I think, are fundamental principles of what a government should do. However, there are generally two ways in which governments can achieve this.

The first is to tax and then spend on various programs and initiatives primarily focused on the lower-income levels of society. Or governments can borrow and spend on the various programs and initiatives for the lower-income levels of society. Both are attempts, firstly, to improve the overall economic wellness of a province, and that's good, and, secondly, to decrease the spread between those who are well off and those who are less well off, and that's good.

Let's take a look at these two approaches and see how, when they're pursued aggressively and when they're pursued perhaps ideologically, they may go off the rails. Let's take a look at the tax-and-spend which, by the way, can generally explain and describe the approach of the Liberals in the late 1980s.

Between 1985 and 1990, program spending increased 8.8% in 1985-86, 11.9% in 1986-87, 8.8% again in 1987-88, 11.5% in 1988-89 and 7.5% in 1989-90.

**Mr Gerretsen:** What about inflation?

**Mr Sampson:** My member over here asks, "What about inflation?" He is correct, inflation was quite strong, but the late 1980s also happened to be a period when there was significant economic growth. In the terminology of the community that I came from, they were called the go-go years, when there was a tremendous amount of economic activity and GDP was at its highest. But in that period the Liberals chose to increase program spending, on average, in the neighbourhood of 10% per annum, each year.

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**Mr Wayne Wettlaufer (Kitchener):** How much?

**Mr Sampson:** Ten per cent. Okay, all right, so they were trying to do the spend part of it in a period of economic activity that was perhaps the largest we've seen in Ontario for some time. Let's take a look at how they financed it.

From 1985 to 1990, revenue increases, ie, taxes, were, on average, 10%? No, no, they weren't 10%. Well, they must have been less. No, no, they weren't less either. Would you be surprised if I told you they were in the region of 13.5% each year? In 1985-86, 10.2% increase in revenue, ie, taxes; 1986-87, 13.3% in taxes; 1987-88, 10.1%; 1988-89—hold on, this is the big one—15% increases. In the last year of the largest economic growth in this province, tax increases.

**Mr Gerretsen:** And we balanced the budget.

**Mr Sampson:** My friend from the other side from Kingston asks me whether they balanced the budget in that period. Of course, you balanced the budget. You couldn't help but balance the budget. You jacked up taxes to balance the budget. That's what you did. You spent it like crazy and you jacked up the taxes. He, from Kingston, should know they have the highest tax base in this province. He should know.

**Mr Gerretsen:** But I was the mayor then.

**Mr Sampson:** My friend tells me he was the mayor, he had no control over it. I'm not too sure that was the case.

By the way, Ontario achieved somewhat a rather dubious record in that period, because no other province in Canada matched this growth in program expenditure or revenue increases. Again, this was a time when disposable income increased by 6% to 8%, on average, each year between 1985 and 1990.

So what's the big deal? I'm sure my friend from Kingston would say, "Yes, so what's the big deal?" The big deal is that when you jack up taxes, the tax-and-spend pattern has a tendency to scare away investment. Investment yields are eroded because of higher taxes. Investors are scared away. This begins to erode employment levels, which in fact starts to increase the need to spend on program spending. It becomes a cycle, a cycle that you can't get off. In fact, the Liberal government over that period of time started the cycle, sped up the belt and never got off.

This was when we were in what I called the go-go years, when there was absolutely no reason to be doing this, when in fact what the province should have been doing was to save for the rainy days. The rainy days did come, and they came in spades—to a large degree precipitated by what the Liberals had done in the late 1980s, but they came in spades.

In fact, the Liberal tax-and-spend policy eroded the base earnings of Ontario so much that when the recession finally hit in the 1990s, Ontario's share of Canada's GDP, which is effectively how much we as a country are producing and adding to wealth in this country, fell two percentage points and unemployment moved up sharply,



from 6% in 1989 to 11% in the depths of the recession by 1992.

The normal spread of 2% between what Canada's unemployment rate and Ontario's unemployment rate usually are was effectively eroded to zero, which meant that Ontario lost its position as an economic engine of this country. The Liberals did it to us and then they handed the mantle over to the NDP, who chose to take the other way to deal with general economic levels, general social levels and the difference between those who have and those who don't have. What did they do? They spent an average of 12.2% from 1990 to 1994. But they didn't increase the taxes at the same rate; they picked the other route. What was the other route? Borrow.

No, the taxpayer was at the limit. Oh sure, they did jack up taxes 4% from 1990 to 1991, and then basically flat for the remainder, if you average it out. But they didn't flat-growth debt. We know what they did in debt. We all know the economic side of this story. Debt doubled in the last five years. That's \$50 billion in 51 months. What? Just under \$1 billion in additional debt each month of their rule—\$1 billion in additional debt each month. But the problem with debt financing is not necessarily, by the way, the principal portion of the debt you borrow; it's the cancer of the interest charges, especially when part of what you're borrowing is to pay interest.

Now, we all borrow from time to time to finance the purchase of a home, and we use a product called a mortgage where repayment—

**Mr Gerretsen:** A mortgage?

**Mr Sampson:** There was some question here about a mortgage. If the member from the NDP caucus would like to listen, it may be the first time you've heard that concept, but I'm prepared to explain it. Oh, I'm sorry; it was the member from Kingston. I'm not surprised.

**The Acting Speaker (Mr Gilles E. Morin):** Order. Please address the Chair.

**Mr Sampson:** I'm not surprised the member from Kingston doesn't understand what a mortgage is.

**Mr Gerretsen:** On a point of privilege, Mr Speaker: I do know what a mortgage is.

**The Acting Speaker:** Please take your seat.

**Mr Sampson:** I hit one, I guess, there. We all borrow, from time to time, a mortgage. A mortgage, by the way, is simply an instrument to repay the principal amount over an extended period of time; 20 to 25 years is the norm. Some people can handle less. But if you take a look at a mortgage payment, you'll see that in the first part of the mortgage most of it's interest. Very little money goes to retire the principal amount, and in fact this is the case well into the term of the mortgage, but over time the fixed payment of a mortgage allows you to catch up to the principal amount. You begin to build equity in a home because you significantly start to reduce the principal amount that you borrowed. It's like being on a treadmill, but over time the treadmill slows down.

In Ontario's case, we didn't have the income to pay the interest, so we simply added the interest on to the principal amount each year. By the way, this novel

concept got us to the point where the treadmill didn't slow down each year. We weren't able to catch up to the principal amount. The treadmill sped up and, as a result over those five years, while the debt went up double, the interest costs went up more than double. We kept adding it on to the bill.

Interest costs 1990 to 1991, 3.8%; 1994 to 1995, 8.8%. The growth between the two: 211% growth. So instead of building equity in this province, like we do when we gradually repay our mortgage, we continued to borrow from our future and we had to devote more and more of what Ontario produces, this gross domestic product I talked about before, or this GDP, to spend on non-productive interest. Tax-supported debt, by the way, as a percentage of GDP, ie, the total debt that we were borrowing as a percentage of the value of all the goods and services we in Ontario produced, was about 16.4% when the Liberals handed this financial disaster to the NDP. It went, by the way, to 31.6% by the end of 1995. That tells you that of every dollar this province produces in goods and services, 31.6% is going to have to go to pay the principal.

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In the few minutes I have left, I want to speak to some of the statements I've heard in this House from members of the opposition that we are borrowing to pay for our growth plan.

When the Liberals and the NDP ran up deficits, they chose not to increase taxes to pay for that expenditure. They gave a tax deferral. They said, "I'm not going to increase your taxes to pay for what I'm spending; I don't want to do that." The NDP didn't have much choice, because we were up against the tax wall, but the Liberals said: "No, I'm not going to increase your taxes this year. I'll borrow. I'll give you a tax break."

They're the ones who financed the deficit on the tax breaks. They're the ones. Both parties did that, NDP and Liberals, because for every dollar that they chose to borrow, they chose not to tax. So it's not our deficit and it's not our tax cuts that you should be barking about; it's yours, your very own tax cuts. You chose not to raise taxes.

**Mr Gerretsen:** You can't have it both ways.

**Mr Sampson:** You chose not to raise taxes to pay for what you were spending. We've got to get it back. We're the government that has to get it back. We've got to deal with the fact that you've already given the tax cut. You've already done it to the tune of \$11 billion, to the tune of a total of \$50 billion between 1990 and 1995, the biggest tax cut in history. You gave it away and the NDP did. There's no question about that, because if you hadn't given away the tax, if you hadn't not taxed, you would have had a balanced budget.

You borrow because you don't want to raise taxes. That's what the borrowing concept is all about. That's why you borrow, because you're not prepared to raise taxes, because you're prepared to give a tax break. So it's not our tax break that we're dealing with here, it's yours, and we've got to find a way now to finance that.

**Mrs Marion Boyd (London Centre):** By giving a bigger one.

**Mr Sampson:** You gave \$50 billion. The member from the NDP caucus says, "By giving a bigger one." You gave a \$50-billion tax break to the province of Ontario. You chose not to increase taxes by \$50 billion.

On June 8, the voters of Mississauga gave me and our party a mandate to deliver major change in the way that government works, to make government work for them, not the other way around. The voters of Mississauga West voted for real change, change that would bring hope, new jobs and new growth, not only to Mississauga, but to the rest of this province. The people of my riding want a future in this province. I want a future in this province. I believe my children deserve a future in this province, and we could not have that future if we had continued to do what the previous two governments did. It wouldn't have worked. We were on our way down, and I was not prepared to hand that legacy to my son and my daughter and their sons and their daughters. I don't believe any member of this House is prepared to do that.

We laid out a plan to the province of Ontario. The voters said, "I like your plan; now get to work," and we are getting to work.

**Mr Michael Gravelle (Port Arthur):** Listening to the pious musings of the member for Mississauga West has been a phenomenal experience for me. Here we have a government that basically less than a week ago unveiled a document, a financial and economic statement, that talks in essence about survival of the fittest. They're not concerned about the people who are more vulnerable. They just simply want to see who can cut it and make it in this world of ours.

The member speaks of abandonment. I think of the thousands of people who are being abandoned by the economic statement and I think also in terms of the next day, when the government sneaked through the introduction of Bill 26, a bill that encompassed 43 separate acts. It repeals two acts and creates three new ones under one piece of legislation. This is legislation that is for a full session, and we need to discuss this in great detail. It's awful to be living in a time when a government takes pride in taking things away from people and not caring about what really matters to people. It's hurting the students of our province. It's hurting the parents who are trying to get their students through university. There's just a whole variety of things that are happening under the economic statement, followed by this remarkable, frightening bill, Bill 26, that simply cannot be done.

If this government has any respect for the electorate, it simply has to be willing to come back, as we have offered—and we continue to offer. We will be back here over Christmas. We'll be back here in January and February. There are so many things that need to be discussed. We can't do them all in one fell swoop. I'm telling you, it's the most frightening piece of legislation. The people of my riding have told me that. The people across the province have made that incredibly clear. We need to have the opportunity.

The member talked about being on a treadmill in the past. Well, the treadmill now is a treadmill leading us down the path to disaster and we have to fight as best we can, all of us on all sides of the House, to recognize that

this cannot be dealt with by simply pushing something through the House before Christmas. We need more time to discuss this matter.

**Mrs Boyd:** The last speaker, towards the end of his speech, claimed that in fact this government was doing what it went to the people and promised to do, and of course that's exactly the point.

The people of Ontario did not expect this government to take unto itself the kind of draconian powers that it has assumed under Bill 26 at all. There was never any mention of that. The people of Ontario voted for the Conservatives because they were promised that not one cent would come out of health care under the Conservatives, that there would be no user fees in health care, that classroom education would not be touched and, miraculously, they would get a 30% cut in their taxes.

**Mr Bradley:** It's zero for four.

**Mrs Boyd:** Yes, zero for four, as my colleague the member for St Catharines says. But people of Ontario did not believe when they elected this government that they had elected a bunch of people who did not follow the fine Tory tradition in this province of having a democratic legislative process that determined the important issues of the day.

It is true that the people of Ontario, like every member in this House, were concerned about debt and deficit and how that is managed without destroying the economy of a province. But the people of Ontario do not believe that the way you have managed keeps your promises, and that is exactly the issue. Had they known that you were going to take the kind of machete that you've taken to the programs of this province, had they known that you were going to take that machete to health care and raise user fees, as you promised not to do, had they known that you were going to waffle around about whether or not the tax decrease was going to happen, they wouldn't have elected you. So don't tell us in this House or the people of Ontario that they elected what they got.

**Mr David Tilson (Dufferin-Peel):** I'd like to congratulate the member for Mississauga West for his comments this evening. I think the gist of his going through the economics of what has been going on for the last number of years really is that we don't have a choice in this province other than what we're doing. Now, the Liberals and the New Democratic parties may say: "Well, we do have a choice. We can remain the same." The Liberals of course during the election pretty well adopted our philosophy in the famous red book; they appeared to adopt it. Now they're saying, "Well, yes, we said there would be cuts, but our cuts are going to be better; our cuts are going to be better than your cuts."

**Mr Bradley:** Fairer.

**Mr Tilson:** No, that isn't what you said. Your cuts were going to be better, and I can't agree with you on that.

The fact of the matter is we put forward our policy two years ago, aside from criss-crossing this province, listening to people, indicating the concerns of the people. This isn't new stuff. The people in this province are concerned with the way the economy of this province has



gone—the debt, the interest. It's out of control. There has been absolutely wild spending, as we all know, for the last decade, and the whole purpose of this economic statement and statements in the future is to get rid of the debt, get rid of the interest, so that we can get on with doing real programs in this province that we can afford. 2000

I always like reading Lorrie Goldstein, and he came up with a wonderful gem I'd like to read to the House. This is what he said several days ago with respect to the financial statement:

"To be sure, it's a gamble made inevitable by 10 years of wild and irresponsible spending by successive Liberal and NDP administrations in Ontario, which made all the crocodile tears from lame-duck Liberal leader Lyn McLeod and former NDP Premier Bob Rae yesterday that much harder to take.

"Between them, their parties while in office hiked taxes 65 times, doubled spending, tripled the provincial debt and left us with three times as many people on welfare.

"Their shameful legacy is that Ontario now spends \$1 million more than it takes in every hour of every day. Nice goin' guys."

**The Acting Speaker:** Your time has expired.

**Mr Bradley:** I'd be happy to complete that column, Mr Speaker, because I read that column with a good deal of interest. Indeed, what he was doing was being critical of the Conservative government. He's very fair. You'll find out that Lorrie Goldstein, though quite right-wing in his views, is always fair. He's not simply a shill for the government. He's a person who will make his criticisms where he feels they are appropriate. I've always admired Lorrie Goldstein, when he was here at Queen's Park and now with the newspaper as a columnist. Even though I disagree with what he says sometimes, I think he's a fairminded person.

I just want to give a little history to some of the people in the House, some of the newer members who seem to be under some misimpressions as a result of the speeches that their research staff are writing. One of them is that the Conservative Party was always for not spending money. I can assure you that virtually every question the Conservative Party directed to me in five years, three months and four days as the Minister of the Environment was one which either asked for more spending from the ministry or had spending implications. The same could be said for virtually every other minister of the government of those days. They kept asking for those expenditures because they were expansionary times and there was a need for some of the programs to be developed.

I understood that and I recall being disappointed that I could not fulfil the wishes of many of the Conservative members who said: "Would you please spend more money? Would you please develop a new program? Would you please initiate this project? Would you build Highway 416? Would you build these new hospitals?" I understood that, and the Premier, who was a member of the government which never had anything other than the deficit from 1971 to 1985—it was a government that

wanted to buy a new airplane for the cabinet and that bought a new oil company for the province of Ontario.

**The Acting Speaker:** Thank you. Your time has expired.

**Mr Sampson:** The member for St Catharines is quite clear. I think to a large degree this is a new business for me, but I'm told that to a large degree one of the things you've got to try to do is to make sure that the environment for your constituents is better than when you started; so when you leave, you'd better make sure it's better than when you started. So I can understand why there might have been a row of people one after another at your door, and I'm sure the Liberals were there knocking at the door of the NDP.

The difference, I guess, between the way in which our government operates and the way in which yours did is that we've learned a two-letter word: no. We're prepared to say no. It's a tough word to say sometimes, but we're prepared to say no. We're prepared to say no to mortgaging the future of this province any more. We're prepared to say no to spending money we don't have and we never had. We're prepared to say no to allowing interest costs to potentially destroy our ability to pay for any social services. We're prepared to say no so that in the future we can say yes.

**The Acting Speaker:** Further debate.

**Mr Gerretsen:** I am very pleased to join this debate and to first of all say to my friend the member for Mississauga West that the one thing he didn't mention in his speech is the fact that he's from a very prominent and well-thought-of family in Kingston. I certainly think highly of all the family members who are still in Kingston.

It was interesting when he reviewed the financial figures and all the different data about who is responsible for what. I had determined to myself, some time ago, that I wasn't going to get involved in that game, but when I hear all these comments about the 10 lost years, which the Premier, who's now in the House—we welcome you, sir—has stated over the last two or three months, I can't help but at least make some comment to it. We've got to remember that when unemployment rates are high, when inflation rates are high, then obviously the public purse and the expenditure of same are going to be higher as well. It stands to reason.

The point still is that from 1971, when Bill Davis took over in this province, he did not have one—not one—balanced budget in those 14 years. As a matter of fact, during the years 1981-85, as I've indicated before in this House today, the debt of the province rose by about \$13 billion to \$14 billion, or an average of \$2.7 billion per year. During the Liberal five years after that, it rose by an average of \$2 billion per year, and we all know that during the NDP years it rose at a rate of \$10 billion per year.

That's bad for all of those governments—all of them. I'm not excluding any one of them. They should have done better, because I too find it totally unacceptable that right now in this province we spend \$1 out of every \$6, and probably more so today, on paying the interest on the

public debt. That is unacceptable, because that money could be better off in people's pockets, could be better off on programs, could be a heck of a lot better off than paying it on interest costs.

I don't know how many of you have actually looked at the corporate tax situation in the province and how that has changed over the last number of years—I haven't got the exact year here—but not too long ago about 17% of all of the provincial revenues were raised by way of corporate taxes; currently, it's about 6%. Of course, we have the same problem federally, quite frankly. The amount that's been paid by corporations in this country into the public purse of either the provinces or the federal government has declined dramatically over the last number of years. I think that's where one of the problems lay.

The other issue, of course, is this whole notion of giving people an income tax cut when we're still as much in debt as we are in this province. I've said throughout the campaign, and I know I did not agree entirely with my party's position on this, that we shouldn't be giving anybody a tax cut until we've got the books balanced in this province, until we don't have a deficit any longer.

*Interjection.*

**Mr Gerretsen:** I hear my friend across the room snickering about that. We talked about a 1% annual tax cut for five years, which I think my colleague will agree is quite a bit different than talking about a 30% tax cut.

**Mr Hastings:** You don't believe in any tax cut.

**Mr Gerretsen:** I personally don't believe in any cut, and I think that is the wisest and most prudent position to take: No tax cuts for anybody until such time as we have the deficit under control and reduced to zero in this province.

I know that over the last couple of days an awful lot has been said in the House with respect to the broken promises. I would just like to repeat that one more time. I know that the Premier and the other members of his team campaigned on the strength of this document, and I know that only one particular line has been used out of it with respect to the health care costs. That's the line that simply states, "We will not cut health care spending." It goes a little bit further, though. It also states, on page 7 of the CSR: "It's far too important. And frankly, as we all get older, we are going to need it more and more. "Under this plan, health care spending will be guaranteed."

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I don't care how you cut the cake, whether it was \$17.4 billion when the pledge was made or whether it was \$17.8 billion when they actually took over in government. To now suggest to the people of Ontario, "Well, yes, we're going to get to our \$17.4-billion bench line again in the year 1999 or 2000, but in the meantime we're going to take some moneys out, like we're going to take \$1.3 billion out of the hospital budgets for the next three years," simply is not saying the same thing. If you are really going to reinvest it, why don't you take this money and set it aside in a separate reserve account in order to utilize that money for the restructuring that's obviously going to have to take place?

I'm as much of a realist as anyone and truly believe that we need to restructure our system, whether we're talking about our health care system, whether we're talking about our educational system or whether we're talking about the way our municipalities carry on. We're in an ever-evolving society, and obviously the kinds of institutions and the kinds of mechanisms that we've had in the past are always, constantly subject to change, especially as we head into the 21st century.

It's very interesting, whenever a question was asked of the Minister of Health and various other cabinet members specifically on the "no cut to health care" policy that's contained in the CSR, the comment always came back, "You know, we're taking that money and doing restructuring with it." We were never given a complete answer until we got the financial statement, and then of course we realized, as did other Ontarians, that in effect \$1.5 billion, if you take the cutback in the drug funds into account, will be taken out of the system.

It reminds me of something that somebody told me during the campaign, somebody who claimed to be non-partisan but who said to me only one thing about the health care situation. That person basically said, "You cannot trust the Tories when it comes to health care." I've often thought about that as the debate has unfolded over the last two months. You simply cannot trust the Tories when it comes to our health care.

The second document that I just want to talk about very briefly is Bill 26. As many of you know, I've spent most of my public career in the municipal area, for 16 years. I know there are many other people here as well in the House who, at one time or another, have served in municipal government, served on school boards. We've all tried to serve our communities in one way or another. I don't know how many members on the government side have actually taken a look at this document and read it word for word. Think back to your municipal years, whether or not you would try to do anything like this at the municipal level without some form of public consultation, without some form of public hearing or public meeting. I think if you look down in your deepest heart of hearts, you'll agree that you would never try to do anything like this at all at the local level.

I've heard in this House on a number of occasions, "We consulted on June 8." That is probably one of the biggest fallacies that I've heard in the House over the last three months. We all realize that we all stood for election, all for different parties. We all brought different programs forward, different proposals. To suggest that the 82 constituencies that elected you people, the government people, that those people somehow got it right and that they somehow endorsed each and every promise that you made in your document and that the other 48 ridings got it wrong I think is totally ludicrous.

Yes, it's quite obvious that the people of this province decided to go in a particular direction. I give you full credit for that and I realize that sooner or later, whatever your plans are for particular areas, you're going to get your way. But you know, there's another side to public consultation and the public process, not just the notion that it may delay the actual passing of this legislation by



a month or two or three. The other side of it is that all of you, particularly those of you who have been involved in municipal government and school boards, know that quite often you learn something from the public process. There are actually people with ideas out there that are different than your own, and you may actually learn something from them, something you hadn't thought about as yet.

If you're saying that's simply not so, that this bill's got everything you could possibly think of, then just think back to Bill 7, the labour law. Do you remember the charade that took place in this House when it was referred to the committee of the whole, when 60 of your own amendments were introduced? None of the amendments came from either our party or the third party; they all came from your side, presumably because of erroneous drafting of the documentation. It took the Deputy Speaker—and I timed him—an hour and 20 minutes to mumble all the amendments while he was acting as Chair of the committee of the whole.

The other thing that was very curious about that situation is that none of us, other than the two critics, was provided with any of the amendments until about an hour or so before the hearings—none of us. There were three people here who had seen the amendments: presumably your own House leader—maybe the cabinet to some extent—and the two opposition House leaders. You know as well as I do that you would never have allowed anything like that to happen at the local level; you simply wouldn't. That whole process was totally flawed, which could have been overcome by perhaps public hearings, some further public debate.

We had a briefing on this document, to some extent, earlier today. I don't think the general public out there realizes the extent to which some of the changes in this omnibus bill actually go. I'll just deal right now with the area of municipal affairs. It says, for example, under part I, the Municipal Act, schedule M, in section 1: "The minister is given the power to make regulations restructuring municipalities. Upon receiving a proposal from a municipality..., the minister shall make regulations implementing the proposal if the proposal meets the requirements set out in the section." Then it goes through a number of different ways in which a restructuring takes place.

The other thing that it says is that the minister may appoint a commission to look into it. Once the commission is formed and the question has been formulated that the commission should take a look at, then the commission can make a final decision with respect to the matter that's brought before the commission, without any power of review from anybody—neither the minister, the cabinet, nor anyone else. I would suggest to you that this is giving an awful lot of power to a so-called independent commission that the minister may set up.

Just dealing with the whole area of municipal affairs, I also think it's very interesting that the minister and the Premier went before AMO this year and basically told the people, all of the municipal leaders who were there, "We're going to cut your taxes by around 20%." Of course, what's really happened is that they have been cut by over 57%. You can say it isn't so, but let me just tell you why.

Currently what's being spent, and this is according to the ministry's own documentation, by the way, that was provided by way of a fact sheet and a schedule—in the past year \$1.3 billion has been spent on the programs which now constitute the new program, the Ontario municipal support program. In your document you state, "All right, next year, we're going to lower that to \$997 million," which is about a 30% cut.

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What's very interesting about that is that \$100 million of that has already been spoken for. I don't know how many of you saw this schedule. If you tell your municipal friends, "This year you're going to divide \$997 million," you've got to take \$100 million off that—this is from your own document—because here it states \$100 million of it is transition funds for existing program commitments and for projects of provincial interest. So don't tell your municipal friends that there's a 20% or a 22% cut this year in the municipal grants that they're getting; it is 32%, and next year it's going to be cut by a further \$70 million.

In the text of this book where it states in effect, "We're going to give you \$735 million next year," \$70 million of that has already been committed to projects of provincial interest; so there's only \$665 million to be divided among the rest of the municipalities. In actual fact, the grants that you're taking away from municipalities have been cut not by twice 20%, or 43% if you put them together, but by closer to 57%.

Check that one out, because this document came from the ministry office itself. Of course the other thing that's very interesting is that in the economic statement it talks about the fact that really the province is only cutting 2% of the total amount of money that is being expended by all municipalities, which is something in the neighbourhood of \$16.5 billion. In actual fact of course, it's closer to the 50% out of the share that the province is providing. I think it's a little bit fallacious to say, "Now we're also going to put into that equation what the municipalities raise themselves through taxation and through user fees etc."

Then we have the statement that the government believes that by using the tools and flexibility for which municipalities have asked they can adjust to these reductions by restructuring their operations and without increasing local taxes. This is the traditional downloading model. "We're taking up to 50% of the grants that we used to give to municipalities away. But, municipalities, you'd better not increase taxes." As I say, it's very easy for you to say.

The other thing that has occurred in the House, and a number of questions have been asked of the Minister of Municipal Affairs, is, "Are you going to cut this program or that program?" The answer that has always come back is, "We're going to give the municipalities more autonomy." That's great. They've been asking for greater autonomy for years. I can remember when I was involved with AMO, year after year after year, they wanted more autonomy.

But please do not equate the giving of autonomy with the fact that you're cutting off half their grants over the

next two years. The two topics are completely separate and apart. Smart political move, I'll grant you. It's a smart political move to give to municipalities greater autonomy and to say, "But we're also cutting the grants that we're giving to you in half."

But I'll tell you, once the municipalities start doing their budgeting and they start realizing how much money they have to raise, we may hear some other comments from them. Back in January and February, in the case of my own municipality, the city of Kingston, for example, we're talking about \$3 million, and if nothing else was done, they'd have to increase their taxes by something like 7% or 8%.

#### *Interjections.*

**Mr Gerretsen:** I'm glad I'm waking the members up again. I hope you enjoyed your siesta.

The other one is, "We want to be in partnership with the municipalities." That's always a good one. I used to hear it for years and years. Every AMO conference you went to, every minister—Tory, Liberal, NDP minister—they all said, "We want to be real partners with you." The argument always used to be, "If you want to be real partners with us, give us greater autonomy." You've got the autonomy now, but don't look for their money, okay?

I'm not sure whether they want the kind of autonomy that you're giving them without—because the argument always used to be, "Give us greater autonomy but also give us the resources to do the kind of things that are required by municipalities to do."

**Mr Hastings:** Which means more tax increases.

**Mr Gerretsen:** There may very well be tax increases. Look, either one of two things, and maybe you could tell the Minister of Municipal Affairs this, the answer is very easy. If you're cutting their grants and you don't want them to raise taxes, only two things can happen: They can have user fees, but I assume that that is included in not wanting to raise taxes, or they can spend less and you're going to take programs away. We've all heard the minister's answer to that: "Well, they can be more efficient."

I have a great belief in our local municipalities and I believe that many, if not most, of the local municipalities, started the process towards greater efficiency and better use of their funding well before any of the senior levels of government. For you as a government to start patronizing the local municipalities by saying, "You could use your money a little bit more effectively" or "You could do the things that you're doing a little bit more efficiently," I think that's exactly what it is, patronizing, and it's not very beneficial.

Let me just make a couple of comments with respect to a couple of editorials that appeared in—I believe it's a well-known paper—the Kingston Whig-Standard.

**Mr Sampson:** What?

**Mr Gerretsen:** Yes, you've heard of the Kingston Whig-Standard—we all have—a paper that has won many awards over the years.

On one page, they have two editorials, and I'll just relate a bit of those. Those editorials were written on Saturday, December 2. One of them is called "Stop the Tory Compact." It states:

"Dictatorship by Premier Mike Harris's cabinet does not make common sense. Yet rule by cabinet decree, without public debate in the Legislature, is the disgraceful purpose of the Tories' Savings and Restructuring Act, 1995.

"Never heard of it? Neither did most MPPs who were in the mini-budget lockup on Wednesday while Harris's Tories sneaked the omnibus bill through first reading. And they insulted democracy by making no provision for public hearings and by limiting legislative debate to three days....

"Massive change requires maximum openness in government. Ontario's autocratic Family Compact of the 1800s should not be replaced by the new Tory compact in the Harris cabinet."

I might say this paper is a good paper and it hasn't always been my supporter by any means, but that's their view.

The other view that they have on the same page is, "Say No Thanks to Income Tax Cuts." "Here's a deal you can't refuse: Mike Harris wants to cut your provincial income taxes by 30% over the next few years." Then it goes through the whole thing: how many dollars people will save at different salary levels etc.

But it ends up by saying:

"Let us forgo the tax break. That would stop, or at least reduce, the all-out assault on civil servants and the services they provide" to needy people. "Those people are certain to churn their incomes back into the economy. And without having to offer tax breaks, the government will arrive more quickly at its deficit-cutting goal."

That's the point that I'm trying to make to you backbenchers. "By accepting the tax relief, too many of our friends and neighbours will be hurt," and that's the bottom line.

#### **2030**

I just want to say one other thing about a very pious sort of statement that is contained on page 23 of the economic statement, and it deals with encouraging volunteerism. You would think that this is something that has been dreamt up since June 8, since you people came to power, and that now all of a sudden we're going to turn Ontario into a great society of hundreds of volunteers doing beneficial work in their communities.

Let me tell you something. From having been involved in municipal government and in many other activities in my community, there already are thousands upon thousands of people across this province who are involved in volunteer work and—

#### *Interjection.*

**Mr Gerretsen:** I'm sure the same thing can be said about your ridings as well, because I'm convinced that this province and this country would not be the great country that it is or that it has been if it were not for the hundreds and thousands of volunteers that are involved in health activities, that are involved in community service-related activities, in numerous activities.

To suggest all of a sudden that you're going to start something new by encouraging volunteerism is absolutely



absurd. Talk to some of these organizations. In order for volunteers to work effectively and efficiently, especially if it's done in a larger way where you've got numerous volunteers involved in a particular community activity, they need direction. They don't just all of a sudden show up one day and say, "Here, I'm ready to volunteer."

But what you have done with the cuts that were imposed this past summer is that in many of the social service agencies that are serving each one of our communities you've in effect cut out that one community coordinator who is required for a particular volunteer organization and who coordinates the activities of the volunteers.

Now you can shake your head and say it isn't so, but go and talk to these people. I know that in Kingston and The Islands there have been at least 39 positions cut in situations where people acted as coordinators of particular volunteer programs. It doesn't happen by osmosis.

**Mr Wettlaufer:** Paid coordinators.

**Mr Gerretsen:** Paid coordinators of course, because if you want to effectively utilize dozens of volunteers in a particular area, quite often you do need one or two paid individuals to actually organize it on a full-time basis.

**Mr Wettlaufer:** And unpaid volunteers can't do the job.

**Mr Gerretsen:** Sure, a volunteer could do the job.

Mr Speaker, I see that my time is almost finished, but let me just—

*Interjections.*

**Mr Gerretsen:** I know that you enjoyed this just about as much as I enjoyed giving it to you, but let me just finish off by saying something about the attitude of this government.

You've set up a snitch line, Minister, where people who are fraudulent with respect to welfare can be reported, and I totally agree with that, and I'm not sure that everybody in my community agrees with that. But to be fair, why don't you as a government also set up a snitch line for those people who are part of the underground economy and aren't paying any taxes at all? What's good for one is good for the other.

**The Acting Speaker:** Your time has expired. Questions and comments.

**Mr Bisson:** I want to commend the member on his speech here in the House in regard to some of the effects. I notice that he limited his comments to what's happening in the municipal sector. I want to tell you, Mr Speaker, as I'd like to tell members of this House and people out there who are watching, that I had the opportunity on Friday to phone a number of municipalities around northern Ontario in order to try to find out exactly what all of these cuts to the municipalities mean.

Especially to smaller communities that don't have the industrial tax base in order to be able to deal with the massive cuts of up to 45% that you're making in their transfer payments, it's going to mean that either they're going to have to increase taxes, and quite frankly they don't have a lot of room to do that, or they're going to have to reduce services entirely. The problem with that is

that in fact you're going to be jeopardizing a number of communities in northern Ontario, as across the province of Ontario, when it comes to being able to provide safe and secure communities for the people who live within them.

One of the things we've always prided ourselves on in this province, as we have in this country, is our ability to offer to the people out there wanting to invest safe communities that have a strong infrastructure, that have a system of services there to be able to support the private sector to come into our communities across Ontario and invest and create jobs and provide work for the citizens of our province.

What a lot of people are telling me in the municipalities, the administrators and the mayors whom I spoke to, they said in the short term that's not the concern. But over a period of five, six or 10 years, as the effects of these cuts come into place, it will jeopardize, quite frankly, our communities across this province, make them a lot more dangerous for people to live within from a security perspective of having less policing and higher unemployment, with more people out there who would despair; the second point being that municipalities will have to let go entire systems of infrastructure—our roads, our sewers etc—which will put at risk, quite frankly, the economic recovery that this government is looking at.

I urge this government to reconsider and to try to really do some reforming of the system rather than doing slashing and burning, as it's doing.

**The Acting Speaker:** The member for Etobicoke-Rexdale.

**Mr Bradley:** Is this Ed Philip?

**Mr Hastings:** No. I don't know who that gentleman was.

It's rather refreshing to hear some insightful comments for a change from my friend the member for Kingston and The Islands. At least he has a realistic grasp of some of the things facing us, but I must redirect him to think about the whole consultation issue. He says we never consult with anybody. This is a growing mythology going on on the other side from members opposite. We are consulting with people. Simply because we're not holding large public hearings, teleconferencing, spending piles of money, we are still consulting.

How? We're consulting through the parliamentary assistants, through the ministers, through all the interest groups that continually approach us on an individual basis and on a cabinet basis.

This morning I had the opportunity to go with my colleague the member for Halton Centre, Mr Young, the parliamentary assistant to the Minister of Education and Training. We spoke to the people at Humber College regarding the reductions in expenditures for community colleges and how they're going to handle it. We talked to the students and how they know the pressures we're facing and that they're having as well. So to keep repeating the point that there's no consultation going on is completely erroneous and misleading, completely inadequately talking about what the problem is, the major fiscal debt facing this province.

The municipalities, the hospital sector, the social agencies are well ahead of you folks across the way in terms of trying to deal with the budgetary problems. They have made their budget cuts on a 10%, 15%, 20%, 30% basis last summer, well ahead of all of you in that regard.

**Mr Richard Patten (Ottawa Centre):** I would like to congratulate my colleague the member for Kingston and The Islands. I thought it was an excellent speech and, as identified by the member for Etobicoke-Rexdale, it was insightful and it did provide some detail that one seldom hears. Indeed, it's good to see some good debate and the concept of, what do we mean when we talk about consultation?

Our colleague the member for Etobicoke-Rexdale says there is a form of consultation. Well, now we're into it; now we're talking about, what do we mean? What do the people of Ontario expect in terms of a form of consultation? I think what they mean is they would like to know, not be involved in post-consultation after the decision has been made and the door is closed, which is what will happen with Bill 26, which is irrevocably linked to the economic statement, which of course was not a budget. It was simply, "Here's where the cuts will take place with our transfer partners."

2040

Like the member for Kingston and The Islands and I'm sure a number of other members, I had some consultations with people, anybody who was interested, from a municipality, from a university, from a hospital, any particular group that was affected: What are the impacts of this? I must tell you that people are scared. Everybody agrees we have to address the deficit; everybody agrees. But there was one point that the member for Kingston and The Islands did make which I thought was very important and I think my colleagues opposite me will agree: that there is a difference between saying, "You have more authority or flexibility to deal with sharing and how we are more frugal and how we operate government at whatever level," and confusing cuts with authority.

**Mr Tony Martin (Sault Ste Marie):** I just wanted for a couple of seconds, for the two minutes that I have here, to talk a bit about the assumptions that are being made and that the member spoke about just a few minutes ago. There are a lot of assumptions being made by the government re the statement that it presented on Wednesday and the omnibus bill that is attendant to that, but one of them is that somehow the province is not doing well financially, that there's an economic depression-recession of sorts happening.

I was listening to the CBC the other morning on my way home from this place and an economist there from Laurentian University was talking about how in fact the economy of Ontario is not doing badly. As a matter of fact, if you look at the statistics that are coming out these days, and they come out every quarter, most of the large corporations are generating quite handsome and significant profits. The problem is that the profit being generated by the corporations is not working its way down into the system so that we can continue to provide the services and supports that people need and to create the jobs that we all want to create out there for the constituents that we represent.

So in fact we do not have the crises we are being told we have, and because of that, we don't have to do the very damaging things that are laid out in the financial statement that we're speaking about here tonight. If the government weren't so committed to giving to the working people, the wealthy in the province, the tax break that they're talking about—

**Mr Wettlaufer:** And the working people.

**Mr Martin:** Yes, the working people too, that's right. The working people don't want it. They're talking about it more and more now as blood money. They don't want the blood money. They want the services that money represents to them and to everybody else in the community.

**Mr Gerretsen:** I guess, to the member for Etobicoke-Rexdale, he and I will never agree as to what proper consultation is. The public consultation process, for example, could take place within the committees that we formed. Remember the committees that all of us are on, at least one or two? That's what they're there for, so that we can conduct public hearings into a lot of these areas. We on this side have been cut out of that system because the committees have only just recently been struck, and so have you.

You know, this whole notion that you have all the truth sitting within those 20 individuals and all of their henchmen who sit behind them in their different departmental offices is totally erroneous. They're all well-meaning people. All the cabinet ministers mean well and all of the people who work for them mean well, but they are not the fountain of all truth with respect to these matters. That's why you consult, to find out how you can make a law, that you've got every right to pass because eventually you're going to get your way, better. That's the whole process behind it.

The other very interesting thing is that in this fiscal and economic statement, I don't know how many of you noticed this, but they spend about 40 pages dealing with the fiscal outlook, but there isn't one projection in there with respect to revenues. The only really distressing thing is the fact that in the Common Sense Revolution you talked about creating 145,000 jobs per year over the next five years. In this document, all of a sudden, you've toned that down to 81,000 for next year and 100,000 for the year after that. You are going to be in a serious financial revenue shortfall situation.

**The Acting Speaker:** Further debate. The member for Sudbury East.

**Ms Shelley Martel (Sudbury East):** I want to begin by saying that I am pleased to participate in the debate this evening because I have been looking forward to the opportunity to clearly get on the record what the focus of this Conservative government is. It is very clear from the slash and burn policy that we saw exhibited on Wednesday that the government is interested in only, firstly, cutting essential services like health care, like education, like social services, cutting thousands and thousands of jobs that are attached to all of those social services and services like health care and education, because all of those people who deliver those services are going out the door.

Why are we doing this?



**Hon Charles Harnick (Attorney General, minister responsible for native affairs):** Because you guys spent us into oblivion.

**Ms Martel:** Why is the government engaged in this slash and burn policy? The answer is very simple: Because the priority for this Conservative government is to give a big tax break to the rich and famous in Ontario—

**Mr Rosario Marchese (Fort York):** That's what it's about.

**Ms Martel:** —a big tax break to the people who already have the most in Ontario—

**Mr Marchese:** And they're not going to spend it.

**Ms Martel:** —a big tax break to the people in the province—

**The Acting Speaker:** Order. There's too much noise.

**Ms Martel:** Thank you, Mr Speaker. I know they don't want to hear about the big tax break going to the rich and famous, so let me continue along that same line.

The priority is a tax break to those people who have the most, who are going to take that tax break and hide it in RRSPs or buy condos offshore, who are not interested for one moment in some kind of trickle-down effect which is supposed to create jobs in the province of Ontario. The fact is that Reagan tried to do the same thing in 1980 in the United States, big tax break to the rich and famous because all of that money was going to trickle down. Thousands and thousands of new jobs were going to be created in the economy.

What happened? The gap between rich and poor grew, the deficit grew, public services were slashed and burned and the unemployment rate rose in the United States. That's the same kind of philosophy and the same agenda that Premier Mike Harris would want to transplant from the US to here. The fact is, it didn't work in the States and it ain't going to work here.

By the time we finish, five years from now, we will see in this province thousands and thousands of people who will have lost their jobs because of the cuts, thousands of public services that are very important to people in the province being lost and the rich and famous with even more money in the province of Ontario to hide in RRSPs and to hide offshore. I think that is a shameful priority for this government. They should be ashamed.

The way that I want to talk about these cuts is to focus on two things: First, I want to talk about the litany of broken promises that the government has engaged in. I want to talk about the Common Sense Revolution, because of course this government, which is obsessed by the Common Sense Revolution, which has seen this as its bible, has come in and had all of these kinds of cuts in order to comply with what's in that document. I'm going to show tonight how many of those promises have been broken and where.

The other thing I want to focus on is the particular hit for my special part of the province, that is, northern Ontario, because the fact of the matter is, the minister who should be responsible for protecting northern Ontario, the minister who should have been standing up to his colleagues to say the cuts in health care, the cuts

in education will have a much more serious impact in northern Ontario and we have to think about that, was hiding when these cuts were made. I don't know where he was, but he certainly wasn't around the cabinet table trying to protect the special interests of the people from the part of the world that I'm here to represent.

**2050**

Finally, if I do have time, I want to comment a little about the omnibus bill, because I have had the opportunity to work with the government House leader, and frankly I am appalled at what he is engaged in, because it is quite contrary—quite contrary—to everything he stood for when he was on this side of the House and when I worked with him when I was the government House leader.

But let me talk about the litany of broken promises by this government that came to fruition on Wednesday. In fact, they came to fruition before Wednesday, because in the first round of cuts in July, we saw a number of promises that this group campaigned on, that the Tory candidate in my riding campaigned on, to be broken.

Let's deal with health care first. In the Common Sense Revolution it was clear. The Tories said, "We will not cut health care spending." "We will not cut health care spending." The candidate in Sudbury East went to a number of public forums, a number of election forums, and said very clearly to the people who were in the room: "We will not cut health care spending. A Mike Harris government will not cut spending this year, will not cut health care spending next year, will not cut health care spending in the year after that." He made it very clear to the people who were coming out to listen that this government was going to maintain health care spending at the same level that we have in 1995.

He did not go out and say to the people: "Oh, we will maintain health care spending. We will bring it back up to the level that it was at in 1995 in the year 2000 when we head into the next election." That's not what he said to people. He was very clear at the all-candidates' forums: "We will maintain health care spending this year, next year and the year after."

Do you know what, Mr Speaker? I think that's why a number of people voted for him, because it is true, people in Ontario are very concerned about health care. It is a priority for people in the province of Ontario. They want their health care spending to be maintained, they want spending for hospitals to be maintained, and I have no doubt that a number of people who were in that room that night, a number of people who read the leaflet from the Conservative Party candidate, believed him when he said that a Mike Harris government would not touch health care spending.

And what has happened? Well, in July we saw the first of the cuts to the health care budget, \$132 million worth of cuts in July by the Minister of Finance. Then we saw most recently, last Wednesday, another massive cut to health care spending, the same budget that the Tories promised not to cut, and the magnitude of that cut is about \$1.3 billion to hospitals over the next three years, an 18% cut to hospitals across this province over the next three years.

What happened to the promise? What happened to the Tory candidate in my riding who went out and knocked on people's doors and said, "The Mike Harris government will not cut health care funding"? Mr Speaker, who lied to whom?

So we are in this chamber today, and we are dealing with a very significant broken promise, one of the reasons that people in this province voted for this government, because they believed. They believed Mike Harris in the Common Sense Revolution and on the campaign trail when he said he would protect health care funding, and they have been let down by this government.

In Sudbury alone, Mr Speaker, just so you understand the magnitude of the cuts, \$28 million will be taken out of a \$160-million total budget for all of the three hospitals combined—\$28 million—and all of those hospitals, in responding to the cuts, made it very clear that if left on their own to deal with it, their hospital was at risk and would probably be closed. That's the consequence of the first of several broken promises that was reinforced in the announcement that was made by the Finance minister on Wednesday.

Let me go back to user fees. Health care's important; I want to focus on this again.

The Tories said in the Common Sense Revolution, "Under this plan, there will be no new user fees." In fact Mike Harris, in this House, had made it clear that a copayment was a user fee. And he went out and this group went out and campaigned very clearly on a specific promise that there would not be user fees. The Tory candidate in my riding made it very clear, when talking to the seniors, that they would not be affected by a user fee, that under the Ontario drug benefit plan they would not have to pay a copayment. They would not have to pay for their medication, and I have no doubt that in my riding, and a number of other ridings of members in this chamber, many seniors voted for the Tories because of that.

They believed this government. They believed Tory candidates who were out on the hustings making these promises. I have no doubt about it, because seniors in this province, especially those on low incomes, and many are, because many do not have indexed pensions, are very concerned about the cost of medication and took the government for its word and took Tory candidates for their word when they came to the door and said there would be no new user fees.

And, lo and behold, what do we have in the statement on Wednesday? Here we were. I thought that Mike Harris would never, ever introduce user fees in the province, and what do we see? That in fact on Wednesday the government introduced copayments, or user fees, to the Ontario drug benefit plan. Seniors on low income; social assistance recipients, who have already been attacked by this government with the cuts to payments; disabled people, who this government promised to protect during the election as well: All of those fine people can now expect a \$2 fee on every prescription. Some who earn a little bit more, if you're a single person and you make over \$16,000, you can also now pay for the dispensing fee and a \$100 deductible. These are the people who went out on

the doorstep, who were at all-candidates meetings, who made it very clear that the Mike Harris government would not do these kinds of things. Mr Speaker, who lied to whom?

Now, let me talk about classroom funding, because the Common Sense Revolution says the following, and I want to quote so there will be no misunderstanding, "Classroom funding for education will" not be cut. Will not be cut. I know the Tory candidate in my riding went to one of the forums that the teachers held and made it very clear to them—made it very clear to them and the concerned parents who came out to that meeting—that in fact education would not be cut, and I suspect some of those people probably voted for the Conservative candidate based on that promise.

And what do we see in the financial statement but in fact a cut of some 9%, or \$400 million, from school boards across the province. In northern Ontario, we're looking at about 186,000 students who will no doubt be crowded into even bigger classrooms, and a number of northern boards, 74 in total, that are now facing the prospect either of cutting services even more and not delivering the education services that students need or in fact having huge tax increases at the local level to pay.

You don't have to take my word for it, Mr Speaker. I want to tell you what the chairs of the two boards said up in Sudbury. The vice-chair of the Sudbury Board of Education said:

"Ontario Finance minister Ernie Eves is misguided and sadly mistaken in his musings that school boards can absorb millions of dollars in lost revenue while avoiding tax increases and not compromising in-class programs.

"In fact, the opposite is more likely to occur.

"I don't think it's realistic," Vicki Kett said.

"It's going to be incredibly difficult' to absorb funding cuts, Kett said. 'It's a whopping amount of money.'"

The Catholic school board chair, Louis DeLonghi, said the following: "He 'can't see how we can avoid (a tax increase in 1996), if we're going to offer the programs that everyone wants, when you're looking at a 10% cut.'"

He said, "One of the province's commitments is that none of the cuts would touch the classroom, but I don't know if that can be realistically done."

Well, of course, it can't, because cuts of that magnitude, especially to northern boards, will make it impossible for them to continue without going back into the classroom and without having to cut.

What did this government say to municipalities? This government said in the Common Sense Revolution, and out on the doorstep, "We will work closely with municipalities to ensure that any actions we take will not result in increases to local property taxes."

Based on a projection of a 20% revenue cut, which the regional municipality of Sudbury took to heart when Minister Leach was at AMO earlier, the regional municipality of Sudbury looked at what a 20% cut would mean. At the local level, it means a 12% increase in municipal taxes this year—12%, to try and continue to deliver the services that people in our community want and need. At



the city level, it's not quite as high, but I think what's most interesting are the comments that came from the mayor of the city of Sudbury, one Jim Gordon.

2100

Now, I don't know how many of the Tories in this chamber know who Jim Gordon is, but maybe I'll remind all of them. Jim Gordon was a former Progressive Conservative MPP, from 1981-87. He was also the Minister of Government Services at that time. Let me tell you what Jim Gordon, card-carrying Tory member, said about this government's cuts:

"Gordon said regional councillors will have to brainstorm to avoid being as 'medieval' as Mike Harris's Progressive Conservative government.

"The mayor said an increase in existing user fees and the addition of new ones will have to be part of the city's approach."

He said, "The balance between a 'blood-letting' and cutting deeply enough to maintain a tax freeze...will be difficult."

He also told people locally, "'This year you've got to act like Scrooge.'" I think I'm going to send him one of those Christmas cards that we've got, which amply reflects what's going on in this place.

But I think the most important thing is his comment on the philosophy, that is, the philosophy of having to have a tax cut and of framing every action of this government around the tax cut:

"Gordon said he 'would have no problem at all' forgoing the tax break if it meant Ontarians didn't have to pay through the nose to support the Tory 'philosophy.'"

This is a former cabinet minister, a former Tory cabinet minister, card-carrying.

He also said that the plan that the government has "just doesn't wash with me because there's too much pain in 1996 and 1997."

This is the same Jim Gordon that rumour had it went down to meet with the Premier at the Tory fund-raising dinner that occurred in Sudbury two weeks ago. He paid \$150 a plate to go and have access to Mike Harris, no doubt to talk to him about his concerns around the cut. He's a card-carrying Tory, and this is what he had to say: that the philosophy of this government, which is solely to have a slash-and-burn approach with respect to services and jobs, is wrong, it's dead wrong, and that philosophy ought to be changed. That's from someone who used to be a big supporter of this party. Maybe he still is. I haven't had a chance to talk to him lately. But certainly he is very concerned and has made it clear that he sees that the only reason we are in this position is because this government is so intent on giving a tax break to the rich and famous.

I want to talk a little bit about the particular effects of the cuts in northern Ontario, because as someone who is really concerned about the long distances we have to travel in the north and the services that we have in northern Ontario and how we're going to maintain them, I am really concerned that the Minister of Natural Resources and Northern Development and Mines was

nowhere to be seen when it came to protecting our special part of the province with respect to these cuts.

I want to frame my comments in this way. In Sudbury, in August, the minister came and spoke to members of the Rotary Club, and he said that he wanted "to re-establish the ministry's credibility and power." He also said that it was his role and his desire to "gain a heightened profile" in the new government for the ministry.

I can certainly say that the minister did just that in terms of the cuts, but it is not a heightened profile that I, for one, as a former Minister of Northern Development and Mines, would be terribly proud of, because the fact of the matter is, separate and apart from the targeted cuts that this minister experienced in his ministry, he wasn't there to defend small rural northern municipalities—small municipalities that are trying to hang on to their hospitals, small boards in northern Ontario that are going to lose schools—and he should have been there protecting the interests of northern Ontario.

That's his job. That's his role in cabinet, and what you're going to see in northern Ontario with respect to the general cuts that this Finance minister announced is a number of small northern municipalities that are on the edge now that have just been pushed over the edge by this government, because they have neither the people base nor the tax base to deal with a 43% decrease in municipal funds, in municipal grants from this government.

You are also going to see a number of small northern municipalities that have a small hospital that are going to have to shut those hospitals down. People in the part of the province where I come from are going to have to travel hundreds and hundreds of miles just to access medically necessary services. That is inappropriate, and this minister should have been standing in his place defending northern Ontario, making sure those kinds of cuts didn't happen. He didn't do that.

But let me talk a little bit about the cuts that are made to his own ministry, because not only is northern Ontario taking a general hit in terms of the hit this government is making to fund the big tax break, but his own ministry also took a very significant hit which, again, will cost northerners, not only in terms of jobs, but in terms of services as well.

Let me talk about those cuts. There are two programs, two incentive programs that work with business to provide assistance and jobs in northern Ontario in the mineral sector and in the forestry sector. Both of those programs have been cut by this government.

The first program was a program to deal with small junior mining companies. Under that program, 50% or more of the costs for a particular project were covered by the mining companies and the government provided up to 30% of the costs. In the last five years, while the government invested a little under \$25 million, some 4,600 jobs were created in northern Ontario, and the private sector itself put up \$63 million in funds in order to get those projects under way and off the ground. That was a very good investment on the part of the government, with

significant returns by the private sector, which acted in partnership with us to deliver that program.

I, for one, cannot understand why this government, which is so interested in job creation, would cancel a program that did just that and had a large amount of the money coming from the private sector. I do not understand the reasoning of this government.

The second program was to build access roads in northern Ontario so that mining companies and forestry companies could get access both to mineral resources and to forestry resources; again, a cost-sharing program with mining companies and forestry companies, a 50-50 cost-sharing program. This year, we had some 21 companies that had applied for over 24 projects and were themselves prepared to put up half of the cost to deliver this program, and this government cancelled the program. We would have put 100 contractors and 100 jobbers to work this fall and this winter. We would have had an excellent partnership that has been developed under the ministry for some time be maintained.

Again, I can't understand, from a government which is so concerned about partnership, which is so concerned about spurring on the private sector, why in fact it would withdraw the same funds that have led to so much job creation and to private sector investment in the part of the world from where I come. It makes absolutely no sense to me and it makes no sense to the companies that were involved.

Thirdly, while this program hasn't been cut yet, and I've talked to the minister about it, I certainly am concerned with yet another program that is currently under review by this government. It's called the Ontario prospectors assistance program. Again, the idea behind it is to promote mineral exploration in the part of the world where I come from, where that is most important to our economy. It's extremely important to our economy to find and develop new mines. A number of communities where I come from depend entirely on mining or on forestry for their livelihood.

We have a program now under review, which I am very concerned will also be axed by this government solely in the name of having a big tax break, that in the last five years provided \$15 million to prospectors, employed over 1,900 people as recipients, created another 7,800 jobs in the spinoff and had a private sector return of at least some \$18.3 million.

Again, I do not understand why it is that the government, which claims to be so interested in job creation and spurring that on, would turn its nose down on those very programs, those very small companies in the private sector that are interested in doing just that, in creating jobs.

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The minister assured me today that he is taking a look at that, he's trying to do whatever he can to protect this important program. I can only, as of today, take him at his word and hope that I won't be having to stand in my place again in the very near future to be critical of yet another cut in his ministry.

Finally, I want to talk about the cut to the Ontario Northland Transportation Commission, because that's probably the most significant in terms of this minister's ministry, and certainly it's most significant in terms of the impact in northern Ontario to vital transportation services that people in our special part of the province need and should have access to.

In the budget document the government made it very clear that next year some \$16 million will be cut from the Ontario Northland Transportation Commission and another \$4 million in the year after. What of course they forgot to tell the public in this statement was that this represents two thirds of all the funds that are transferred to that agency at this point in time. We will transfer this year about \$15 million to the ONTC and, over the next two years, \$10 million of that will be withdrawn to provide those non-commercial services in northern Ontario that people need and should have access to, because the private sector is just not interested in providing them.

One service that is on the chopping block is the following: norOntair, the government's airline in northern Ontario, which provides air service to no less than 17 communities in northern Ontario. The minister, on Thursday, announced via teleconference that norOntair air service was no longer a priority for ONTC and air service would be left to the private sector. He did this without the knowledge of the board chair of the ONTC, without the knowledge of the staff of the ONTC. In fact, the vice-president of the airline division had to send a fax to all his employees to apologize for the minister's statement, because that's how they found out they were going to be losing their jobs. They found out because the minister was on a teleconference to a number of media outlets on Thursday to announce that this air service was no longer a priority.

There are no less than 13 communities in those 17 that have no other services provided in their communities. No other carrier goes into those communities. Why? Because they can't make a profit. That's the reason why norOntair was flying into those communities in the first place, because a former Tory government, under Bill Davis, recognized that people in northern Ontario had to have access to service too, for health care reasons in particular.

This government has said they will leave it to the private sector, the same private sector that has absolutely no interest whatsoever in providing any kind of service in those communities because it won't be able to make a profit. This minister and this government have just cut off the knees of 13 communities in Ontario that will no longer have air service.

The other major transportation service in the north that's now under attack because of the funding cuts to ONTC is the Northlander train. The Northlander train runs from Cochrane down to Toronto. It runs six days a week, with the exception of Saturday. The Premier, in comments to his local media on Wednesday night in responding to the cuts to ONTC, said: "There are choices along that Northlander corridor. There are opportunities for air, bus, and car transportation and there has to be some judgment made there on what is the best way to look at those services."



But you know what's interesting? When the Ontario Northland Transportation Commission itself went before the National Transportation Agency, because CN was trying to cut that service, which is offered jointly between ONTC and CN, ONTC made it very clear that in fact the other alternatives which the Premier is so quick to comment upon are not alternatives at all that will be used. In fact, they made it very clear that if people had to drive, that would be a long route that most people won't, and most of the people who are using the train don't have a car anyway. Secondly, if that particular service were discontinued, that would severely jeopardize their other train services in other parts of northern Ontario.

Probably the most interesting comment came from Mike Harris himself, because he too went before the National Transportation Agency and talked about his concern for the Northlander. He made it very clear that in fact the National Transportation Agency should not allow CN to stop its passenger rail service because the Northlander was too important, not only to North Bay, where he's from, but to residents right across northeastern Ontario, to be abandoned and that the NTA should make it clear that it would not allow that route to be abandoned by CN. That's what Mike Harris said in his submission to the National Transportation Agency in November 1993.

I want to say just in conclusion—because I said I would say a little bit about the omnibus bill, and I want to do that—I was the government House leader in this House, in government, for a year. At that time, I was also privileged to work with—and I say that very clearly—Mr Eves, who is now the government House leader.

I think it is shameful of him to bring in an omnibus bill in the manner that he has, one that provides for such sweeping, draconian, unilateral changes to this province. I think he knows it, because when he was on this side he would have never accepted that. Indeed, we made every effort during that time, on major pieces of legislation, to accommodate his requests and those of his party to have public hearings on major pieces of legislation. I think it does not become him to be moving such a bill in this House at this time.

**Mr David Turnbull (York Mills):** I rise to just point out to the member for Sudbury East that I remember distinctly going into estimates on Northern Development and speaking of the very serious problem that existed because previous governments, including hers, were heavily subsidizing air service in northern Ontario against the private operators, people who could be successful if they didn't have massive competition from the government. A very, very interesting situation existed.

Under the NDP, they introduced airplanes which had a capacity of 45 seats. They were pressurized and they had toilets, and clearly people up there wanted them. But the fact was that it was very clear that they could not fully support 19-seaters. At 19 seats, you step over to a different type of personnel you need; you need some cabin crew. The government brought in the 45-seat planes to squeeze out the private sector.

I remember going up and visiting Thunder Bay and speaking to air operators in Thunder Bay about the very

serious problems that we were facing under the NDP government. I got this minister in estimates and I asked her about it, and she would hear nothing of this. As far as she was concerned, public ownership was the only way and the truth. They bankrupted us by constantly spending money that we didn't have and just adding it to the credit card of our children. That's the gift this previous government gave us.

**Mr Gravelle:** I'm very pleased to respond to the remarks from the member for Sudbury East. I must tell you that although we don't always agree politically now, I worked in the Ministry of Northern Development and Mines when the member was the minister, and I know one thing: She cared very much about the north and was a minister who gave a great deal of concern to it.

I share a lot of the concerns she expresses today about the position the Minister of Northern Development and Mines has taken in the last two or three months. I do not think he stood up for the concerns or needs of northerners and he certainly did not try to protect the interests of the northerners through his own ministry programs.

The government spoke bravely in the throne speech about local input and how there would be must more authority for the north, and this has simply not happened. The member for Etobicoke-Rexdale talked about consultation earlier, and I find it astonishing that they would brag about, literally, the consultation post facto. You make a decision and then you consult; interesting theory.

But the member for Sudbury East I think has made some important points in terms of the programs that have got great economic value for the north. Certainly the mineral incentive program is one that we're all sad to see go. I think it's a hugely important program. There are other programs that are in limbo, frozen: the small communities improvement program, SCIP, and the supplementary northern assistance program, SNAP. I have concerns about the northern Ontario heritage fund. There are a whole number of programs, and also the concerns about norOntair, the decisions and the way that they're made. You simply announce the decisions and then you let them go and go back to the people.

I could go on forever, as they say. I'd like to go on forever, but I'm not going to be able to. Municipalities prepared themselves for a 20% cut, and what did they get? A 50% cut.

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**Mr Martin:** I just wanted for the couple of minutes that I have to compliment the member for Sudbury East on the comments she made, both in substance and in style. She presents well because she knows her stuff.

When you compare her record as the Minister of Northern Development and Mines and what she did for small communities all over northern Ontario, and the energy, the foresight and the ability that she brought to the challenges that we faced in places like Kapuskasing, Thunder Bay, Sault Ste Marie and Sturgeon Falls, and the list goes on and on—every community in the early 1990s in this province was in serious trouble. The member for Sudbury East as the Minister of Northern Development and Mines went in there with the backing of our government, with the backing of the Premier, brought together the workers, brought together the community, brought

together management and the financial community so that we could restructure and give to those communities the opportunity they needed to take their future in their own hands and make decisions that affected them directly and produced results such that today we look at places like Sault Ste Marie and look at enterprises like Algoma Steel and St Mary's Paper and the ACR and see them all making money.

You compare that with what this government is doing and is going to do to the communities of northern Ontario re the announcement they made in July and now the statement they made on Wednesday. If you look at that statement and as you watch it unfold and you see the untold damage that it's going to do to small communities, as the member said, that are out there now and had a little hope, were looking at some possible renewal and resurgence of their ability to make some money and provide some jobs, that's all going to be destroyed. For the member for York Mills to get up, who knows nothing about northern Ontario, to in any way criticize this member is a bit fallacious, to say the least.

**Mr Galt:** I'd like to address a few of the comments from the member for Sudbury East in reference to some of the tax cuts. It's obvious that she does not understand some of the things that happened during the term they were in government.

Just because you give some tax cuts doesn't mean that mathematically you're going to lose a horrendous amount of money, because have a look at some of the tax increases that you people made. Two of the three tax increases you made, your revenue actually went down. It went down significantly. Granted, it was recessionary times, but it did go down, and I think you should note that. So when you decrease taxes, it does not mean the revenue is going to necessarily go down; it may actually increase a bit because of the economic recovery that will occur because of it.

Your comments in connection with health care and your concern about that commitment: There was a commitment of course of \$17.4 billion. You make some reference to the Common Sense Revolution, and certainly the commitment is in here, and it's a commitment that we're living up to and standing up to.

In reference to hospitals, you closed over 6,000 beds. That equals 30 medium-sized hospitals. Yes, during your term in government it was over 6,000 beds, but you haven't done anything about improving the efficiency. It was talked about earlier that kidney dialysis, cardiac units, brain injury patient treatment, cancer care and rural health care was only going to amount to \$70 million. I'm not quite sure where the member for Beaches-Woodbine got her figures, because we've already committed \$50 million to rural health care to get physicians out into the rural area, an area which you really messed up, and physicians are fighting mad. We just don't have physicians in rural Ontario.

**Ms Martel:** In response first to the member for Northumberland, the reason I raised all the election promises was to show how clearly this government has broken them all in the short time they've been here. You folks went out on the campaign trail, you said to people

at the doorstep, you said to people at all-candidates debates: "We will protect health care. There will not be any new user fees. There will not be cuts to education. We will make sure that municipalities will not download and there will not be tax increases at the local level."

Time after time after time, whether it's the cuts in July or the cuts we saw most recently last week, this government has broken all of those promises. Why? Because this government is only interested in slashing and burning public services and jobs to fund a big tax break for the rich and the famous. That's what the priority of this government is.

In response to the member for York Mills, he should tell people that in the committee that he sat in for estimates he wanted this government to get out of airplane service in northern Ontario altogether. He wanted us to abandon those 13 northern communities that have no other service than norOntair, the government plane. He's not interested in making sure northerners have access to service. He's not interested in making sure they can get a plane to come out to health care in southern Ontario. He couldn't care less.

The fact of the matter is that the private sector, which hasn't had an interest in providing services in those communities for the last 20 years, is not going to have an interest now, because there isn't a profit to be made. It's the responsibility of government to assure that northerners have access to transportation services, and this government should live up to it.

Finally, I just want to repeat what Mike Harris said about Northlander: "Over the last 12 years I have worked very closely with both management and employees at the ONR" to maintain this service. "It is a vital transportation service in northern Ontario. As such, the North Bay-Toronto passenger rail service must be maintained": "must" underlined.

**Mr John L. Parker (York East):** It's my pleasure to speak this evening in support of the 1995 Fiscal and Economic Statement which the Finance minister delivered to this House on November 29. It's particularly my pleasure to speak in prime time. I note that it's approaching 9:30, which means that Seinfeld should be over pretty soon and my wife may be tuning in as a result.

As this is the occasion of my first remarks in this House, it is also appropriate under the traditions of this chamber that—

*Applause.*

**Mr Parker:** The best part is yet to come. Save yourselves, please.

It's also appropriate that I make a few remarks regarding my riding itself, particularly to introduce myself to this House, but also, in the words that I heard opposite some weeks ago, to lend colour and context to the remarks on the subject under review.

My riding, York East, is squarely situated within Metropolitan Toronto and entirely within the borough of East York, the municipality which is proud to call itself Canada's only borough. In fact, according to my records there are only five other boroughs in North America. They go by the names of Manhattan, Brooklyn, Queens,



Staten Island and the Bronx. The day may never come when those other boroughs attain the degree of recognition which will come to East York in the year to come as we celebrate 200 years since the origins of our community.

York East is the only riding which lies entirely within the borough of East York. My riding shares the borough with but one other riding, that currently represented ably by my friend and colleague the member for Don Mills, Chairman of the Management Board, who, as is well known to the members of this House, served for many years as mayor of our municipality. East York is also the only municipality which lies entirely within the Don watershed, of which I intend to have more to say in the months and years ahead.

The Don River runs through the middle of East York, dividing the old town of Leaside and the new community of Thorncliffe on the one hand from the original township of East York. Although it's an urban riding, East York is almost pastoral in nature, with the Don and its tributaries carving out the many wooded ravines that define much of the topography of our riding and which bring into the urban environment much that is untouched and natural, as you are likely to find in the most remote areas of this province.

The natural environment of our ravines spills out into our neighbourhoods as well, with large trees of almost every description prominent on our front lawns and boulevards, as are the squirrels and raccoons and other wildlife who make their homes near the Don and sometimes in our garages, basements and attics.

It was the Don River which gave rise to East York's beginnings, as Governor Simcoe saw the river valley as an appropriate place to establish the thriving industry which he knew was necessary to support a stable and, he hoped, growing community. You see, even in the day of John Graves Simcoe, forward-thinking and civic-minded leaders recognized the importance of a thriving economic sector as a necessary engine of community survival and cultural expression.

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It was in 1795 that Governor Simcoe granted a plot of land to Isaiah and Erin Skinner at the location of what is now Todmorden Mills in the Don River Valley at the foot of Pottery Road in East York, "That a mill shall be build thereon." Those were his words. Other mills followed, giving rise to Toronto's first significant industrial area and to the community which is now the borough in which I make my home and which I am proud to represent in this House.

I should not let this occasion pass either without noting the series of events which for all intents and purposes lies at the foundation of the creation of the community of East York, which all took place in and about 1796, almost 200 years ago. For that reason, the coming year has been designated for special recognition within our borough and will be the occasion of a host of events and ceremonies in celebration of our 200 years as a community. The ceremonial banner hangs proudly in my office in this Legislative Building and I invite each member of this House to visit East York, particularly its heritage focal

point at Todmorden Mills, and join us in celebration in the new year. I intend to have more to say on this subject at a later date as well.

I'll just note in passing that in preparation for my remarks this evening, I passed a note that indicated that it is in the traditions of the House that on the occasion of one's maiden speech there is no heckling done in respect of the newcomer, so that he can sort of get his legs and feel at home in the House.

#### *Interjections.*

**Mr Parker:** So much for the traditions of the House, but I will soldier on and I will cope with whatever I'm forced to deal with from my friends.

I have noticed that it is customary on occasions such as this for the new member to comment also on the proud tradition of representation which he or she follows in this House, reflecting on some of the notable persons who have represented the riding in past years.

Suffice it to say that my riding takes a back seat to no one in the quality and worthiness of those who have represented it in the past, most of whom until the recent past, I should note, came from my party. I wonder if the opposition will keep quiet while I make the following remarks.

I do want to take this occasion to acknowledge with sincerity the accomplishments of my most recent predecessor, Gary Malkowski, who for his own unique reasons, by virtue of his election to this Legislature, guaranteed himself a place in the history books of this province. I saw a lot of Gary and his wife, Karen, during the recent election and I enjoyed getting to know them both. Gary is particularly fortunate to have such a supportive wife in Karen and I have told them both so. I wish them both well.

Speaking of my riding of York East and the borough of East York in which it is situated, it's habitual to use the term "community" with great prominence. This is not without reason. With a population of just over 100,000, the borough of East York is much like a small town within the large metropolis of Metropolitan Toronto. I have heard there are lots of tenants in East York, and that is quite true. In many ways, East York operates as a small town does. We have an unusual degree of citizen involvement in our activities, and the same people keep showing up in everything that goes on. The faces we see on our main streets are the same faces that we see in our grocery stores, our home and school meetings, our hockey rinks, our parks and our churches.

They are the faces of people with an uncommon spirit of volunteerism and civic-mindedness. They are the faces of people who coach our little league hockey teams, baseball teams and soccer teams, who serve on our church committees, who run our children's drop-in centres, who run our Scout troops, who serve at the Touchstone Youth Centre, who cook and deliver our Meals on Wheels, who serve in our Legion halls, Rotary clubs, Kiwanis clubs, Lions clubs, serve on the board of our hospital, and participate in our Good Neighbours program.

They are also the faces of the people who offer their services as elected representatives at municipal council,

the school board and—dare I say it?—Queen's Park. They are the faces of people who stand out in the cold and flood our outdoor skating rinks each winter and who shovel them after it snows. They are also the faces of people who line up every year to apply to serve, free of charge, on the many boards and committees which help run the business of the municipality, which in other large municipalities is administered by paid committee members and large complements of professional staff members.

East York is also home to many diverse and proud ethnic communities. It has a thriving Greek community and is the home to the head office of the Greek community of Metropolitan Toronto. East York is home also to a proud Ismaili community, a proud Sunni Muslim community, a proud Tamil community, proud Italian, Filipino, eastern European communities and many other groups.

There are people in East York who can trace their Canadian roots back to our earliest settlers and there are people who can trace their Canadian roots back no further than the latest plane to land at the airport. Last July 1 I had the honour to participate in a ceremony as a room full of proud and excited East York residents became citizens of this country, residents who had chosen to live in this country.

Just recently I was the guest of honour in a ceremony held in the basement of the Thorncliffe Park library as the East Indian seniors club sang O Canada, toasted our Queen and prayed to their God for the future of Canada. I cannot think of a more moving experience than to lead the singing of our national anthem among a group of people who chose to come to this country so that their children might have a future of peace and opportunity, who are struggling with life here but would rather be here than anywhere else in the world and who have told me that they thank God every day that they live in this country and that their children and grandchildren are growing up as Canadians. They ask only that they have a chance to provide a future of promise for their children in this country.

Which brings me to the subject of the matter which is before us for consideration today, the 1995 fiscal and economic statement.

#### *Interjections.*

**Mr Parker:** I notice that the opposition has now woken up and they've put me on notice that they're going to pay particular attention to what I have to say.

It has been said in this House that November 29 was a defining moment for our government. With the greatest respect, I disagree with that. The defining moment—the opposition is now cowering, because they know what's going to come—for this government came on June 8, when the people of this province elected this government on the strength of certain clearly articulated commitments. The fundamental thrust of those commitments was to reduce the size and cost of government, to seek efficiencies in government, to cut government barriers to job growth and creation and investment and to reduce the burden placed on Ontario's taxpayers by Ontario's high rate of taxation.

We've heard much in this House, some today, some in previous days, to the effect that not every voter read every word in our plan. We've also heard it suggested that we should not take the results of last June's election as a mandate to carry out all the elements of the plan. Maybe the voters didn't read all the words in our plan; maybe they did. But I suggest that there is no escaping the reality that whether every voter read every word of our plan or not, there could have been no mistake as to the overall themes of our platform, the key elements of the plan and the direction in which our party intended to take this province if elected. For that reason, there can be no confusion as to the mandate given to this government by the voters last June and to the expectations that the people of this province have for this government now.

We did not get elected on vague promises to do better than the former government or to keep the same policies but to change the faces.

**Mr John O'Toole (Durham East):** That would have been easy.

**Mr Parker:** That would have been the easy way out; that's exactly right. That would have been easy. That's the way it's always been done in the past. But the key message which we brought to the voters this time was that it was time to make a change. We promised to be a government of change. The voters understood that message clearly and responded with a clear mandate to get on with it.

For the first time in 10 years, a government was elected in this province by telling the truth to the voters. We told the voters that we could not carry on with the old ways of tax and spend or, what was even worse, tax, borrow and spend. We said that it was time for government to recognize its own limitations, live within its means and give the people a chance to live within theirs. This is the message that our party carried to the voters across the province and this is the message that I carried to the voters of York East.

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I should say also that this is a message I received at the doorsteps and bus stops all across my riding. From the bungalows of Springdale Boulevard, the semis of Woodcrest Avenue, the high-rises of Cosburn and Thorncliffe, and the doughnut shops, the bus stops and the variety stores in every part of my riding, the voters of York East told me that they were tired of a government that was too big, too intrusive, too expensive and too wasteful. They wanted a government that treated them with respect as individuals. They wanted a government that would give them some reason to hope that if they worked hard and looked after their homes and families, there would be reason to hope for a prosperous future for themselves and for their children.

The people of York East know that the levels of government spending which we have seen in the past few years have been the cause of the high taxes today and the heavy debt for the future. They know that government cannot go on forever borrowing against the future to finance the spending of today.

They know that the high taxes of today serve only to stifle the ability of our economy to grow and create the very prosperity that is needed if we are ever to afford the



programs that we have come to expect of government. They know that high taxes kill business opportunities and contribute to putting people out of work.

They know that this adds to the burden on our welfare system to the point where we had exceeded one million welfare recipients in this province while simultaneously reducing the ability of the economy to generate the wealth necessary to carry this growing burden.

The result is that more people are put out of work. There is less reason to have hope for a brighter future and more and more people give up on ever having a chance of looking after themselves or their families. The result is a vicious cycle of dependency and a decreasing ability to meet that dependency. Then in the cruellest stroke of all, the burden is placed on to the shoulders of future generations in the form of a debt load of banana republic proportions.

**Mr O'Toole:** Hear, hear. That's a good line.

**Mr Parker:** You like that line? Banana republic proportions. The only reason the IMF has not moved in and told us to clean up our act in this province is that the IMF have confidence that this government is going to do it without their help.

The provincial budget has doubled over the past 10 years, from \$26 billion in 1985 to about \$56 billion today. But that's only part of the story. Over the same period of time the public debt practically tripled, from under \$30 billion—and \$30 billion in debt in 1985 was nothing to be proud of, I will grant the opposition that—but the public debt tripled from under \$30 billion in 1985 to almost \$100 billion today.

To put that in perspective, bear in mind that it took from Confederation to 1985 to build up that public debt of about \$28 billion in this province.

**Mr Cooke:** And it was all done by Bill Davis.

**Mr Parker:** It was all done by Bill Davis. The opposition plays fast and loose with Mr Davis. On the one hand, those are the glory days. Mr Davis is the kind of Tory they like. We keep on hearing that time and time again. "This is not the party that we come to know and respect. This is not the party of Bill Davis. Why don't you get back to being a good Tory party like Davis was?" On the other hand, Davis was the one who got us on track with the deficit.

I don't know what kind of message the opposition is giving us, but my message—

**Mr Cooke:** What's your message?

**Mr Parker:** I will respond to the question. I will give the message if I will be permitted the opportunity—

**Mr Cooke:** What do you think of Bill Davis?

**Mr Parker:** The message is that it took from Confederation to 1985 to build up that \$28 billion in debt. In just five years that debt increased to about \$50 billion and then in the next five years—here's the best part; it's the worst part—in the next five years, from 1990 till the election last June, the debt doubled again. It now stands at a whopping \$100 billion, give or take a billion or two.

That debt load is a cruel, practical joke on our children who, unless corrective steps are taken now, will be left

with the responsibility of paying it down. It's also a severe constraint on our ability to meet the needs of today. The cost of the interest just to carry that debt is now about \$9 billion every year. The cost of interest on our debt is \$9 billion every year.

**Mr Cooke:** So what do you think of Bill Davis?

**Mr Parker:** I understand why the opposition is heckling me on this point because it hurts them to have to be reminded of it.

And \$9 billion is more than the Ontario government spends to finance its hospitals; \$9 billion is more than the Ontario government spends to finance its long-term health care programs; \$9 billion is more than the Ontario government spends to finance its OHIP program; \$9 billion is more than the Ontario government spends to finance all levels of education in this province put together—schools, colleges and universities.

**Mr Cooke:** That's not true. The Minister of Education's budget's well over \$10 billion, closer to \$13 billion or \$14 billion. I remember that.

**Mr Parker:** The former Minister of Education is challenging me on that point. He's more comfortable dealing with these large figures than I am. I don't know. Maybe he's got the numbers right. When you get into billions and billions of dollars, I didn't know that the NDP really made many distinctions.

But \$9 billion is more than the Ontario government has ever spent to finance all of its social assistance costs—general welfare and family benefits combined—even before the cuts. And the \$9 billion in interest that the province of Ontario will have to pay this year to support its \$100-billion debt is the single biggest expenditure item in our budget.

It's bigger than any of the expenditures I have just named. It's even bigger than the cost of financing the operation of the government itself. The total amount spent each year by this government to pay the salaries of every last public servant, plus the cost to maintain every government office, plus the cost to pay every salary in the opposition benches, plus the cost to pay your salary, plus the cost to pay the salaries of Tonia and Alex and the cost to keep the lights on in this building, is less than the amount—all that put together is less than the amount that will be spent this year just to pay the interest on the debt that we are carrying.

Let me say it again. The cost of interest on the debt is more than the cost of operating the government itself. In fact the cost of interest is the highest single expenditure item in the entire provincial budget.

Don't make the mistake of assuming that this expenditure goes into the pockets of our poor and homeless. It goes to our wealthiest and most comfortable people. It's not poor people who invest in government of Ontario bonds. It's the wealthy and the well-to-do and the powerful institutions. Much of the ownership is in the hands of foreign investors, and the interest that is paid goes to them. It goes to the fat cats of Wall Street, of Tokyo, of London, Frankfurt and the other financial capitals of Europe and around the world.

That's not the worst of it. This \$9-billion annual cost is itself increasing by approximately \$1 billion every year. It's the fastest-growing single area of expenditure in the entire provincial government. Let's look at what this means. With interest growing by \$1 billion every year, our ability to finance other government spending programs is diminishing by \$1 billion every year. As the cost of interest grows, other expenditure areas are crowded out by the same measure.

That \$1 billion is more than the amount that the provincial government spends on colleges in each year; \$1 billion is more than the provincial government spends on non-profit housing in each year; \$1 billion is more than the provincial government spends on unconditional grants to municipalities in each year; \$1 billion is more than the provincial government spends on child care in each year.

If we stood by and did nothing, the ability of this government to carry on with any one of these spending programs would be wiped out each year just by the increasing cost of carrying the debt.

**2150**

Year 1: Bang—there go all of our community colleges.

Year 2: Bang—there goes all non-profit housing.

Year 3: Bang—there go all unconditional municipal grants.

Year 4: Bang—there goes all child care in this province.

The Common Sense Revolution is not the enemy of these programs. The growing cost of government and the increasing cost of carrying our massive debt load is what is what is the enemy of these programs. That is the one factor which, more than anything else, is putting our social programs at risk in this province and is getting in the way of our ability to create opportunities for our citizens who wish to work and to address the needs of those who can't.

Well, you might ask, why not just raise taxes to help pay for the increased costs? We've tried that in the past and it's only added to the problem I've just described. Taxes have increased 65 times over the past 10 years. Ontario is now among the most highly taxed jurisdictions in North America which is our primary trading area. All of these tax increases have not stopped the growth in our public debt, nor the massive increase in the cost of interest to carry that debt. Despite all the tax increases of the past 10 years, we inherited a government which spends \$1 million more each hour than it brings in.

I will say it again: One million dollars per hour is not the rate of spending in this province. It is the rate by which spending exceeds revenues. Meanwhile, by placing our tax rate at the high end of all of our trading partners, we have been sending a signal to our employers to take their jobs elsewhere and we have been telling new investment to stay the heck away from Ontario.

As some of my friends have already said in this chamber, if high taxes and debt financing created prosperity, well, everyone in this province would have two jobs by now. As it happens, however, there were fewer jobs in this province when we took office than there were

five years earlier and when we took office in 1995, there were nearly three times the number of people on social assistance as there had been just 10 years earlier.

And the real take-home pay of the average Ontario worker is lower today than it was in 1985—lower than it was 10 years ago.

The economic statement of the Minister of Finance last week is a clear signal to each one of us in this province and to those outside the province that the ways of the past are on their way out.

What are the messages of the minister's statement? The messages are many, but I will summarize just a few.

We will reduce the burden of government regulation and restore balance in labour-management relations.

We are beginning a 12-month review of all regulations affecting business.

We will restructure and streamline government and provide services that Ontarians value most at a more affordable cost.

We will implement the recommendations of the Ontario Financial Review Commission and focus government's efforts on performance, not process. We will use a single set of financing reporting standards—one set of books—what a novel concept. We'll have one set of books for this province so that the people of Ontario will be told the same story as the investors on Wall Street are told about the state of the province's finances. We will set three-

**Interjection:** That's new.

**Mr Parker:** Yes, it is new. That's brand new. It's a new concept, one set of books.

We will set three-year deficit targets and plan for deficit reduction on a long-term basis. We will take other measures designed to tell the people of Ontario the truth about the financial picture of this province, such as public disclosure of all public salaries in excess of \$100,000 a year.

Every government program will be analysed under the questions: Is it in the public interest? Is it fair and equitable? Is it well managed? If the answer is no, the program will be subject to reduction. If it does not stand up to this scrutiny at all, it will be cut out altogether.

We will consolidate the financial data systems of all government ministries, so that for the first time the computers in this government will talk to one another—another novel concept. This will reduce the duplication and make it easier to track just exactly what's going on day by day, instead of leaving it to the Provincial Auditor to tell us after the fact.

We will create partnerships with private business and open our administrative operations to outside competition where this can save taxpayers money.

Internal government spending will be cut and, as recommended by the Provincial Auditor, increased efforts will be put towards eliminating tax fraud. To this end, 50 positions from within the Finance ministry will be reallocated to tax auditing.

This government will permanently cut \$230 million in grants and loans to businesses in fiscal 1996-97. Busi-



nesses will be required to survive in the marketplace or else accept the judgement of that marketplace.

Other government spending programs will be reduced and the agencies affected will be given broadened authority to raise funding from private donors according to the need recognized by the people of the province spending their own money.

Transfer levels to our major transfer partners will be reduced and with the reduced funding levels will go the tools to increase their flexibility, to introduce innovative solutions to help them meet the challenges of those reduced transfers. Fewer strings will be tied to transfers to municipalities, for example, so that they can find their own efficiencies within their own budgets and meet the needs of their own communities.

There will be other spending reductions to other transfer partners and there will be other savings to other transfer partners as they seek out the savings within their own operations as we give them the tools to find those savings.

The provincial government wins, the school boards win, the transfer partners win and the people of Ontario win.

Our plan was put before the people in the election last spring. It was put forward in a clear departure from the ways of the past. The people sized up the plan; they liked what they saw. They sized up the people who put forward the plan; they liked what they saw there. Most of all, they trusted us to carry out the plan.

In the minister's statement on November 29, this government repeated its commitment to that plan. We were elected to carry it out.

**Mr David Ramsay (Timiskaming):** I was very interested in the speech from the member for York East. It was a very good lesson in the finances of this province. He gives a bit of an historical perspective, that it's really taken about 128 years for the province to get into the financial mess that it's in and I guess the message, I would say to the government members, is that we should think a little bit before we make the steps that you're making and how quickly you're making these things, because even Ernie has said this, your Treasurer, that, "Maybe we haven't thought all these things out."

When I go back to my riding and I talk to welfare moms and I talk to people who want to send their kids to college and I talk to people who want to see safe roads on our highways in the winter—we have a lot of snow up in Timiskaming this year—people are wondering, is this government thinking this thing out? We all know there's a problem and my constituents know there's a problem. But what they're concerned about is that you're moving with such great haste that you're not thinking all this through. The Treasurer has already admitted that maybe you are hurting some people on welfare who shouldn't be hurt.

So we're saying to you, "Take another look at this. Take a second look at this," and think again when you cut down 25% on winter road maintenance throughout the province. We're just at the beginning of winter. We've had it now in northern Ontario—it hasn't hit here yet,

with the nice green lawn over there at Queen's Park, but it's going to come. Think twice when it comes to public safety and people's security and some of the social net services that we provide as a government. You can't change all this overnight. I don't even want to get into Bill 26 and what you're doing with that and taking over all the powers. It's like a little bill that's a coup d'état coming in. When the Treasurer stands up and says, "We have to do these things," it reminds me of maybe what people did in Germany and in Italy in the 1930s and saying, "Well, you know, there's a big problem here and maybe the means do justify the ends." I don't think so.

So I say to you, start to reconsider some of these things, and maybe there's a good sign the Treasurer is going to reconsider, and I ask all the caucus members over there to talk to your Treasurer and your Premier and reconsider the haste of some of these moves that you're making.

**The Deputy Speaker:** The Chair recognizes the member for Windsor-Riverside.

**Mr Cooke:** I thought you were going to recognize the member for York South, Mr Speaker.

I don't want to be too hard on the member—I gather this was his first speech in the Legislature—but it's hard not to be, because the part of the speech that I heard didn't recognize at all the realities of this government's fiscal plan.

2200

There's no disagreement in this place that there has to be fiscal responsibility. There was movement in the last government to control expenditures. In fact, I remember that that party over there actually supported some of the cost-cutting initiatives that we introduced by legislation here in the House on first and second reading. They supported it. There was praise. It made all of us feel very uncomfortable that Mike Harris was supporting it.

But it's not right in this province that the member and his caucus and his government would be saying: "Yes, it's okay to cut welfare rates by 22%. It's okay for the poorest in this province to have those kinds of cuts, to have the inability to pay rents, and to have to make a choice at the end of every month as to whether there's going to be food on their kids' table or whether there's going to be a roof over their heads." That's the situation you're putting in, all in the name of this ideology, which I'm sure the member actually believes, but it's not true.

You made a choice. In the election, you said it could all be done: balance the budget, lower the taxes and save health care—not one cent out of health care. The cuts are in place for one reason: the welfare recipients are paying for a tax decrease to the wealthiest people in the province. That's immoral and you're part of the problem.

**Hon Mr Harnick:** The member for Windsor-Riverside just doesn't get it. He stood up before and he said, "We don't have a fiscal problem in the province of Ontario." Well, let me tell him, \$100 billion in debt, \$9 billion of interest a year, and the member for Windsor-Riverside still doesn't get it. We do have a problem. We are haemorrhaging, and we are stopping the haemorrhaging.

**Mr Cooke:** Mr Speaker, on a point of order: Of all people in the House, I am sure the AG wants to follow the law. The rules are in this House that if the member wants to give a speech, that's fine, he can get up in the rotation, but if he wants to get up in the responses, he comments on his own member's speech, not on the comments that have been made.

**Hon Mr Harnick:** I suspect that when I talk about the fiscal problems that his former government caused, it strikes a nerve. There really is a problem in this province, and even if it doesn't get through to his little brain, there is a problem. We do have a major fiscal problem in this province. A million dollars more an hour going out than coming in is a major problem.

I want to talk about the tax break for a moment. I want you to know, Mr Speaker, that 87% of those who filed income tax returns in 1992 had an income of less than \$50,000. So 87% will receive a benefit by having more money in their pocket by a tax break. I want to tell my friend that hardworking, honest, decent, taxpaying people in the province of Ontario make less than \$50,000 a year. That may be hard for Mr Cooke to understand, but those are the people who will benefit by a tax cut, not just the rich people; the middle-class, hardworking, taxpaying people, not just the rich people.

**Mr Patten:** I look forward to the speech from the member for Willowdale.

**Hon Mr Harnick:** Stick around. I'm coming.

**Mr Patten:** Great. Okay. We'll have an opportunity to do that.

In terms of the member for York East, I would like to congratulate him on his maiden speech. However, I remind him that this was not a budget. What this was was a series of cuts to transfer partners, some of whom were aware of what was happening, some of whom were not aware.

I would like to address one area and that is the cuts that were there to health care, the \$1.3 billion, recalling that this government said it would not touch one cent of the health care budget. Even after the economic statement was given, I saw the Treasurer, on television, in fact explain that this money would be returned. I find there's a big contradiction in what he said, because he added up the amount of money that was being reduced to our transfer partners and began to explain it. It did add up to \$6.2 billion. Then he said: "We're left with about \$1 billion. We'll do that for slippage and we'll do that related to how the economy performs."

So there are two reactions, indeed, to what represents the health cut expenditures, but there's one thing for people: They're going to lose on this. You have not been honest, your government has not been honest with the people, and you'll see that. You backbenchers know that damn well. When you go back to your ridings you know that—I can see it in your eyes—because people are not happy with you. You said you would not touch one cent, and you have. So the people will speak, they will speak to you and they will speak eloquently.

**The Deputy Speaker:** The member for York East, two minutes.

**Mr Cooke:** What about the rotation?

**Ms Marilyn Churley (Riverdale):** There is one more.

**Mr Patten:** Mr Speaker, we only had one.

**Hon Mr Harnick:** Mr Speaker, you are absolutely right.

**The Deputy Speaker:** I make no apology for being right. I call the member for York East.

**Mr Parker:** Thank you, Mr Speaker. You find yourself in the position that we in this party consistently find ourselves in.

I didn't hear a heck of a lot in the remarks from the other side just now that related to anything that I had to say in my speech, so I think I'll return the favour and ignore them in the two minutes available to me now. In fact, I think what I'll do is finish my speech, because I ran out of time.

Our plan was put before the people in the election last spring. It was put forward as a clear departure from the ways of the past. The people sized up the plan and they liked what they saw. They sized up the people who put forward the plan and, again, they liked what they saw. Most of all, they trusted us to carry out that plan.

In the minister's statement on November 29, this government repeated its commitment to the plan that we were elected to carry out. The minister's statement is nothing more nor less than a recommitment to the mandate given to this government by the voters of this province on June 8, 1995.

**The Deputy Speaker:** Further debate. The Chair recognizes the member for Yorkview.

**Mr Sergio:** Let me congratulate the member for York East, Mr Parker. I can assure him, on what he said in the beginning of his maiden speech, I can share the same feelings with him, as I'm well familiar with the riding of York East, the entire borough of East York, as I've had in past years the wonderful experience of dealing with politicians from the Scarborough and East York areas. I must say that I find them dedicated and I'm sure that John will be serving his people as well.

But that's as far as I would go, because once he has moved into the grey area, which I call the purple area, I think that's where he has gotten lost. He has no longer spoken with the same enthusiasm as when he was mentioning the area that he represents, but I think he, as most of the new members, will be doing very well.

2210

The argument that we are discussing is one of paramount importance, and I'll tell you why. We have two particular sets of documents here: one which won the election on June 8 and one which is totally different and signifies the so-called "defining moment." I beg to differ quite a lot with members of the government side when they say that the defining moment was on June 8. I totally disagree and the people out there disagree. They did not win the election on June 8 on this particular proposal here. They won the election on the purple book which they call the Common Sense Revolution. One totally 100% contradicts the other. Let me frankly tell the members on the other side, without trying to offend, that



if they were to run the election today, not on the promises here but on this particular document, they wouldn't be sitting on that particular side.

It is our utmost responsibility to tell the people out there, those who voted for the Liberals, the Conservatives, the NDP and others, what really is at stake for the people of Ontario. I'm sure most of the members of this House are not familiar with the contents of this proposal. I will be addressing briefly Bill 26 and the fiscal statement.

The importance lies in this—and I will not try to fall into the trap of accusing the Premier or ministers or any other members that they have lied to this House or out there to the public; I would never do that. Even if that is the case, I know too well that this is not allowed in the House, to say in this House that the Premier lied to the people of Ontario. I wouldn't dare say that for this whole reason: The people out there know better than us. If indeed the Premier did lie to the people, they know it. The people in my area know it.

I'm fairly new in this chamber, but I can reach and read on the column in this House, which was built in 1898, I believe, if my memory serves me well, where it says, "*Animo non astutia*" on the particular pillar over there. What I believe it means in Latin is: You may lie out there to the people, you may lie in here to the people, but really this chamber was built and the people who built it in those days and inscribed those writings in there had a darn good reason—that when you're in this House you are to treat the people with justice and truth. What it says there—"animo" means soul, means heart, means virtue, means the truth; "astutia" means deceit, means slyness. We're getting a lot of that. That's where I come in with these two particular documents here, which are totally different.

**Mr Tilson:** You're getting off the argument.

**Mr Sergio:** I'm not getting off the argument; I am addressing the facts. What we have been hearing here is skirting the issues. I think it's my responsibility, I think it's the responsibility of every member of this House. What's real in this document for the people of Ontario? The people in my riding tell me, "We want you to tell us what they are doing at Queen's Park for us."

Just let me give you a few samples. With respect to the hospitals, the minister said, even today: "Hey, listen, we have a right to do what we want to do. We treat this, our decision, simply as a matter of policy." This is not a public works department where we say, "Okay, we find it better to collect the leaves on a Thursday pickup, therefore we're going to change from Wednesday," and we don't have to pass any laws. This is major. We are dealing with the health and safety of our citizens. The Minister of Health says, "We are going to treat it as a matter of policy," which is saying, in effect, "We do not have to come to this House for debate and for approval." If this is not arrogant, I have no idea what it is.

This is just one example. We are dealing with the health care of the people of Ontario and we have a government which wants to usurp whatever power is left in the hands of the people and of this House so the minister can have all the power he wants and say: "You

know what? I'll take it on my own word and I'll do whatever I want to do with it."

With respect to hospitals, the minister will have the absolute power to close or amalgamate hospitals. Was this in the Common Sense Revolution? It was not. The minister is given authority to control all aspects of hospital operations. Was this in the purple book? It was not. The minister can take over the operations of the hospital by appointing a hospital supervisor. Can you imagine that? He will have the sole and indiscreet power to appoint someone to run the hospital, which means we won't have any more hospital boards.

I'm only skimming some of the contents of this book. This is only part, and I want to say this because I want to make sure that my people and as many people I can reach will know the content of this book.

With respect to the Ontario drug benefit program, it says that changes are made to provide for eligible persons to pay some of the cost of the drug benefits. This allows for the implementation of user fees. I don't have to say how many times we have been reminded and told in this House that the Premier has said, umpteen times, "No new user fees." Who is affected the most? The poorest, the neediest, the elderly.

But the most unacceptable part that I find is that the amount that can be charged for a drug, other than the dispensing fee, will no longer be regulated. I'm sure this doesn't bother the members of the other side of the House or the people making \$75,000 and up. Let me tell you that one of my fellow members from the other side just said that 85% of the people make less than \$50,000 a year. Do they know that?

**Mr O'Toole:** Yes, I do.

**Mr Sergio:** You do know that? It's wonderful that you know it, because all the poor people, all the neediest people will not have any control, because you people have deregulated the prices of drugs. Isn't that a wonderful gift just before Christmas? Isn't that a wonderful gift for all the hundreds of thousands of people who are unemployed, for whom there is no work, who are on social assistance, social benefits? Isn't it a wonderful gift that they deregulate the prices of drugs? So now, not only are we imposing a fee on seniors and those making less than \$15,000; we are deregulating the prices of drugs.

On the Health Insurance Act, the minister can remove services from the OHIP schedule of benefits at will, without coming to this House. The OHIP payment may be reduced, refused or be required to be paid back.

I don't want to bore you, but these are the essential things that the people out there must know. That is why we are forcing this House, hopefully convincing it that we cannot vote. This contains amendments to 47 or 48 laws—not one, but 47 or 48 laws—which impinge on the citizens' rights on a daily basis in a very major way.

We hear on a daily basis, and I'm really trying not to offend any member of the government side, when they say: "We have this omnipotent right. We won an election, therefore we have a mandate." I beg to differ on one fundamental principle. Yes, they have won the election. They have a right to govern. They have a right to govern, but according to the promises they have made.

2220

Mr Speaker, I wonder, yourself, every member of the government side, what did you exactly say in your Common Sense Revolution during the last election to the people of Ontario? Did you ever tell the people of Ontario that you were going to cut \$1.3 billion from the health care system? No, you didn't. Did you tell them that you were going to cut \$1.5 billion from the hospital funding? No, you didn't. And \$658 million to cities and towns: Did you tell them that in the Common Sense Revolution? No, you didn't. And \$400 million to colleges and universities: Did you tell them that? No, you didn't. Was this the truth or was this deceit?

**Mr O'Toole:** Where were you taking your cuts from?

**Mr Sergio:** Oh no. We did not promise to give back 30%, my friend. This is your downfall. This is your problem. This is your problem. We did not say we are going to refund the rich people of Ontario 30%. What my friend over there is saying is that they are giving the rich people of Ontario an extended vacation at the expense of the poor in Ontario and we did never promise anything like this to the people of Ontario.

We did say, and we were meaning exactly what we were saying in the red book and there was good philosophy, we are going to balance the books, as we did after 45 years of other governments in 1988, 1989 or 1990. We did balance the books. We did. And we were going to do the same thing. But when I hear the other side and the Premier saying, "This is a very, very hard decision," and still be compassionate, well, Mr Premier, you know what would be very hard? If you were to maintain services, jobs; don't throw people on the streets; don't cut welfare; don't cut the assistance to the women's shelters; don't cut the day care funding, and still be able to maintain those services; don't raise taxes. That would have been very hard. That would have been very hard to do. But the problem is now he has to find the money for the rich people, only for that small percentage, so they can keep them happy.

Mr Speaker, did you ever, did the Premier ever say to the people during the campaign that he would be cutting \$400 million from the elementary and secondary schools? I don't think they know, I don't think the Premier knows the implications of these cuts. I was the other night at one of the colleges. One particular school has some 680 adult students for adult education. They have a wonderful record. One third of those people go back into society, into the workforce on a full-time basis, and one quarter of those become self-employed and employ other people as well. And now they are cutting \$400 million? I think it is one of the greatest shames that this government has come up with with this proposal.

Were the people told during the campaign within the book of revolution here that you were going to close hospitals solely to fund the rebate to the rich? No, you didn't. That you were going to penalize the seniors by starting charging for prescriptions?

**Mr Turnbull:** You closed hospitals.

**Mr Gerretsen:** You woke them up.

**Mr Sergio:** That's what I want to do, Dave. Dave, it

is wonderful because you come from one of the wealthiest cities, and I'm proud to say the city of North York, and it's not because of this government, it is because of an excellent-run municipal government.

**Mr Gerretsen:** A great mayor.

**Mr Sergio:** A great mayor. And I was proud to be part of that organization for some 16 years.

**Mr Gerretsen:** They miss him down there right now, but we're glad to have him here.

**Mr Sergio:** Let me remind the other side of the House, you never told that you were going to penalize the seniors by starting charging for prescriptions—

**Mr Gerretsen:** User fees.

**Mr Sergio:** —user fees and so forth; that you were going to give the rich a yearly vacation at the expense of the poor. Somebody who makes \$75,000 a year, does he really need an extra \$5,000 a year? Does he really need it? Certainly not; they don't.

These cuts will cut more than 80,000 jobs. The Premier keeps on saying, "We're going to provide 725,000 jobs." You know, Mr Speaker, there is absolutely nothing in here. As a matter of fact, what's in here? One member of the government side, one backbencher, is going to have a one-year study of how to increase business for small business and then come back and report to this House. Now small business, which is the backbone of the economy, has to wait another year until they complete the study? Is this the help that the government is going to give them?

We were looking for a government that would be different, but not this type of government. Mr Harris has been saying, "Our direction is going to create jobs, growth and prosperity."

**Hon Marilyn Mushinski (Minister of Citizenship, Culture and Recreation):** Sixty-five tax increases in 10 years.

**Mr Gerretsen:** Oh, don't be so arrogant.

**Mr Sergio:** Let me tell the Premier that it is not only the business community on Bay Street that wanted change; everybody wanted change. We wanted change. We wanted and expected a government that would bring about change fair to all, equitable, sensible, firm with compassion, a change for the better; a change which would instil confidence back in our people; change which would put people to work and give them the chance to build their own respective place in society; a change which would truly give people a hand up and not a government which would miserably let them down; change which would ignite pride and hope in our youth, in our students, in our schools, colleges and universities; a change of a government inspiring the students to learn, mature and become progressive members of our society.

The government has abandoned the people of Ontario. It has abandoned our kids, our most precious resource. It has abandoned women's needs. It has abandoned its seniors. It has abandoned the injured workers. It has abandoned the people without a job; a government that has changed forever the social fabric as we know it and as a society that our people have been accustomed to all their lives.



The government says, "We have to make changes to satisfy those opposed to the status quo." Who are they? The people on Bay Street? The changes made by this government are utterly drastic. They are motivated by the principle of a distorted political agenda. They are changes born out of deceit and false pretence, born out of an election promise that convinced people to opt for change and not for disaster; a mandate won on deceit, and now this government is trying to govern on deceit again.

The Premier and his government have created a very distinct and two-tiered society: one for the rich and one for the very rich. The poor and the needy have been forgotten. It is a document which I think every member of the House should address. I want to give an opportunity to every member of my Liberal team here to have a say on it. I think it's very important.

With the passing of this bill, Premier Harris has made sure it has guaranteed an extended vacation for the rich at the expense of the poor. I hope that we will have some extended opportunity to divide this massive bill and debate the individual merits of the variety of bills which it contains.

2230

**Mr Martin:** I rise tonight somewhat pensive and thoughtful as I look at the challenge that we face as a province and consider the road that the government of the day has chosen to take.

I picked up the newspaper last week on one particular day and the signs of the times are interesting. In the *Globe and Mail* there was an article on the state of the law society and the ability of this government and lawyers themselves to support the provision of legal services to the poor in the province and a real dilemma that we face there.

Also in the same newspaper, the same page, there was an article on how the doctors in the province, those people who provide for all of us in time of our greatest need, are concerned and anxious re the approach this government is going to take to resolving some long-standing issues of tremendous interest to that profession.

I was particularly interested in that because we in the north who are traditionally an underserved area where it comes to the provision of medical care have long struggled with this, in some instances have been successful in getting some professionals to come to our area and in other instances haven't, but I don't think there's anybody who agrees that if we can work out some cooperative approaches that it will be in everybody's best interests. But from reading this article it seems to me that we were setting up a situation where cooperation wasn't going to be the order of the day but in fact an adversarial relationship that I suggest will hurt a lot of people in the long run including doctors and those who receive medical care.

In my own paper I read of the Christmas cheer program in Sault Ste Marie this year having double the applications for boxes of food and toys for children. I read of the lines at the soup kitchen increasing and I read of the private sector getting involved in my own community, and I give them great credit for this, in a food

drive. The company that carries out the blue box recycling in Sault Ste Marie, in partnership with the soup kitchen and the Salvation Army and some other local groups, decided to pick up food in the blue box on a Saturday because there was a recognition that there was going to be a shortage of food in our community over the winter months and into the foreseeable future.

We look at all those very troubling signs and at the same time in the same newspapers on various occasions over the last two or three months we see reports that come out that speak of corporations making record profits; we hear of banks making record profits; we hear of the senior personnel in those corporations making wages that I'm sure any of us in this place and most people who live and work in communities across this province only dream of perhaps at some time in their life making—most of us will never achieve that—and the obvious lack of any reference in these newspapers, in these documents, to any real effort being made by anybody out there to create work for people.

This government when it ran in the election ran on the promise of some 725,000 new jobs. A couple of the things that I've picked up in the paper here speak to a difficulty in that, and it's interesting when you compare it to the fact that corporations are making record profits and that folks out there in the street are wondering how to keep body and soul together, that in fact there are no jobs. There are no jobs being created.

The *Toronto Star* on December 1 asks the question in its editorial, "Where Are the Jobs?" There's an article in the *Toronto Sun* on December 1 that points to an Angus Reid poll that says that job anxiety is the single biggest concern among voters, who remain pessimistic about economic recovery.

I was over in Ireland this past summer for a couple of week visiting with some relatives over there, and this summer particularly they are remembering the famine, the great potato famine that so many of us have heard of, so many of us probably had relatives who emigrated to this country because of.

It's interesting, when we focus on the famine, it's always in the context of the failure of the potato crop, but we're never told that, while the potato crop was failing and while the ordinary Irish small farmer was struggling to keep food on the table, to keep children alive, to be able to get up and work so that food might be produced for the next day, that at the same time in that country grain was being grown and seen less as food for the ordinary Irish citizen and more as a cash crop and was being shipped out of the country.

Beef was being raised at that time in some parts of the country and some of that grain was going to feed the beef, and the beef, interestingly enough, was finding its way less to the tables of the ordinary person, the ordinary Irish citizen, and more to the tables of the lords and the ladies of places like England.

There are some comparisons to the story of today and to that story in that in those days some very difficult challenges were facing the people of that particular country and some difficult challenges face us today as the economy changes, as we move towards the end of a

millennium. Those who study the phenomenon of millennia and coming to the end of millennia will tell you that always at that time, there's great flux, great change, great anxiety in the populace.

People are challenged by that to respond in many ways, and governments are called, governments of those particular—

**Mr Gerretsen:** How do you know, Tony? Were you there in the 1890s? How do you know this?

**Mr Martin:** My ancestors were, and I read, and those who read and study that tell me these things. They tell me that we were all challenged in those days to respond in ways.

We can respond by pulling into dock and batten the hatches and latching on to everything that's familiar and comfortable, and that's one way. We can react by ignoring the reality of folks out there and what they're dealing with and everybody look after himself. Or we can react in the way that I think our government reacted, and that is to say, "Okay, we have ourselves a challenge here," and pull in all those people who are interested in being part of the answer and say to them, "What can we do together here to pick up the pieces, to put it back together again?" so that we can get the economy moving, so that we can start to create jobs and everybody can be participating, and in that way generate more revenue for government and continue then to be able to support and to build and to improve on all of the very valuable and important services that go by way of public service in a jurisdiction, and particularly some of the very valuable and good services that we have developed over the years in Ontario under the guise of education and health care and social services.

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In light of all that, in the light of that challenge that faces all of us, what is this government offering up? What is this government presenting to us? On Wednesday last I was in Sault Ste Marie when the financial statement was presented here in the House. I was in Sault Ste Marie with about 100 other people who were concerned about what you might do. They were concerned because a lot of them had experienced at first hand the fallout of what you'd done previously in July of this year, shortly after having been given the reins of power. They saw for themselves and many of them felt for themselves the impact of the decisions that were made back then.

So what did you do? What was that statement about that came down on Wednesday and why were the people I was meeting with on that Wednesday evening, first in front of the Steelworkers hall and then, as we marched up Dennis Street and over Wellington to the Indian Friendship Centre where we had bowls of soup prepared by the soup kitchen, and we ate sandwiches—yes, tuna sandwiches and egg salad sandwiches and baloney sandwiches—all of these people were concerned about what this government would do to them, would continue to do to them, particularly after they had felt and seen what had been done to them in July of this year.

What was that statement about? Well, for them and for me, very clearly, it was a continuation of the Mulroney

legacy, it was the continuation of a legacy that sees the rich get richer and the poor get poorer. It's based on a premise, on a very sad premise actually, that says in very obvious and clear ways that the poor have too much and the rich don't have enough.

**Mr Len Wood (Cochrane North):** So take from the poor and give to the rich.

**Mr Martin:** Yes, and so we will do whatever it takes to make sure that that injustice is righted. Certainly none of us have to look very far to see the damage that was caused to this country by Mulroney as he dealt with fiscal policy, as he took on the fight of inflation and as he dealt with monetary policy in a way that saw those who were well off in this country continue to be well off and to improve their lot while many, many ordinary working Canadians, many, many ordinary Canadians who couldn't find work, found themselves in more and more difficult straits.

In July this government took money out of the pockets of the poor. On Wednesday of this week they took away their services. Not only did they take away their services, but they are going to move very quickly to take away the jobs of the people who support them, whether they're the working poor or whether they're the poor who are on assistance of some sort or other, the people whom they depend on for support and counselling and to help them sort out the difficult challenges that they face in their everyday life. Those people will be fewer and, in some instances, will not be there at all.

I can't help remembering, as I say this, the four young women who were at the gathering on Wednesday night in the Sault who told us all about the fact that the halfway home that they were now living in, that they went to because of difficult situations at home, situations of abuse of various sorts, was going to be closed because of the funding cuts brought down by this government. These four young women on Thursday last found themselves without a place to live.

The interesting thing about all of this is that at this point in time we've hit the poor and now we're beginning to take a whack at the people who support the poor in our communities. But eventually, as this thing takes hold, as the snowball begins to roll and as it picks up momentum, everybody will be hit and we will begin to destroy communities.

When we destroy communities, all of us will be harmed, because some of the decisions that have been made or are being made by this government will hit libraries, will hit the education system so that there won't be the same kinds of services there for students who are in need of a little extra help or who are having a difficult time now coping in a classroom that has too many students in it and will have even more students in it when this government is finished.

The statement that came down on Wednesday will go a ways to taking away from a community's ability to offer community swimming pools, sports facilities—

**Mrs Sandra Pupatello (Windsor-Sandwich):** Child care.



**Mr Martin:** Yes, child care, and all of those things that make communities a valuable, supportive experience for all of us.

**Mr Gerretsen:** Tony, they don't care.

**Mr Martin:** They don't care. No, they don't care.

What they're trying to do at the same time as they are taking away from communities and from school boards and health organizations the ability to do what they do best, they're trying to convince the rest of us that we have an economic crisis on our hands, that we don't have the kind of money that it takes to support these programs any more.

We know in fact that that's not true, that there really isn't an economic crisis at hand. Yes, we have a struggling and a difficult economy, we have an economy that's changing and we're challenged as a people; this government is challenged, hopefully with us in partnership, to respond in creative ways.

But to pretend for a minute that somehow the economy of Ontario has collapsed in such a way that we have to take money out of the pockets of the poor, that we have to dismantle in the significant way that we see in this statement the services that we've built up over the years and all come to rely on, services that are envied by people around the world, services that actually put us at the top of any list of any group looking at quality of life, standard of living, all those things that show the world whether a country is doing well or not, is looking after its people, is a place worth investing in, is a place that has the kind of stability that will guarantee that investment will return some profit on some dollars put in—we know from reading the papers and looking at the reports in our own communities and looking at some of the enterprises in our communities, and again I have to look no further than my own community after the very difficult early 1990s and the restructuring that we as a government participated in, in partnership with ownership and workers and financial institutions, to give new life, to breed new life into these corporations, we see them today making money. We see them today actually reinvesting a lot of that money.

In northern Ontario, in 1993, 1994 and into 1995 we saw investment like we have not seen ever before in that part of the province. And so to suggest for even a moment that the cuts that are contained, both in the statement of July and in the financial statement that we saw on Wednesday, is somehow built on an economic crisis or a crisis of economy just does not hold up to inspection at all.

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I suggest to you that if this government was really and truly interested in doing something worthwhile for this province, rather than focusing on cutting, and particularly cutting in areas where it is most hurtful and most hurtful to those who can deal with it least, that they should focus their attention on creating these jobs that they talked about, that they should focus their attention on the 725,000 opportunities that they said would happen—

**Interjection:** Instead of firing 100,000.

**Mr Martin:** Instead of firing 100,000. It's never made any sense to me to lay people off in order to create

work, because anybody who studies modern society and civilization will tell you that to reduce expenditure results in reduced revenue and results in job loss. So if you were to focus for a minute and in fact in some of these statements that you roll out and present to us as people in Ontario how it is that you're going to create these 725,000 jobs, then maybe we could have an intelligent discussion and perhaps we would be willing to participate with you in some of the things that you're proposing to do that will impact on the lives of all of us.

The other myth that's being rolled out there, that is sort of the foundation block upon which all of these cuts are being rationalized, is that this is about the deficit, that this is about somehow being accountable and responsible with the moneys of the province. We know that that's not true. We know that this is about a tax cut. This is about giving money back to those who already have money, in the erroneous assumption that they will then reinvest it and create jobs and therefore generate revenue, and the province will be back on good footing again and everybody will live happily ever after.

But we know that that's just not true. We know that if you want to stimulate an economy, you've got to have consumers who are confident, and when you're laying off people and taking money out of their pay packet, consumers aren't confident, and they're not going to spend. If you want the economy to get better, give people who will spend it the money and it will.

This statement and this government is clearly about a tax cut.

**Mr Wettlaufer:** No, it's not, Tony. You're confused.

**Mr Martin:** No, I'm not confused.

**Mr Wettlaufer:** You give somebody \$100, they'll spend it. That'll create jobs.

**Mr Martin:** What are the people out there that we're all talking to saying about all of this? I was in Kitchener-Waterloo on Friday. I was in Sault Ste Marie on Wednesday last. I was back in Sault Ste Marie again over the weekend, and had a chance to talk to a lot of people, my neighbours, my friends, people in the union halls, people in the malls.

What they want to know, in all sincerity, is, does this government really know what it's doing? Has this government—

*Interjections.*

**Mr Martin:** They do. They're asking that question. They're asking that question. They want to know, does this government really know what it's doing? Where is the blueprint? Where is the plan? We had a statement on Wednesday that talked about cutting, that talked about reducing government. There's no plan there. That document, the Common Sense Revolution, is heavy on rhetoric and thin on—

**Interjection:** Content.

**Mr Martin:** —detail and content. Exactly. The people out there want to know, do you know what you're doing? Do you have any studies that you've done? What's the impact? How is this going to impact? How does, for example, by way of the cut to social assistance taking \$2 million every month out of the economy of Sault Ste

Marie affect not only those who don't get that money but the small businesses in which that money is spent? Where does all of this become counterproductive? When you take anywhere from \$6 million to \$15 million out of a community like Sault Ste Marie, how does that impact on businesses' ability to stay alive, expand, get excited about other opportunities when they're afraid for their very existence, when they don't know if they're going to open tomorrow because they don't know what the bottom line's going to be for them at the end of the month?

They're asking, do we really need to do this? Do we really need, at a time when we're struggling with the deficit—and I don't think there are any of us here, Liberal, New Democrat or Conservative, who doesn't understand that, yes, there is a deficit and we do need to deal with it, but to deal with that, do we need to give a tax break to the rich of the magnitude that we see spoken of in the Common Sense Revolution? Do we really need to make the very deep and difficult cuts that are being suggested and proposed by way of this statement?

What they're saying to me is, isn't this a bit too much too fast and do they really know what they're doing? They also ask, why are you ramming this stuff through government so quickly? They say that it gives off the wrong signal, that it tells them very clearly that you don't believe in government, that you don't believe that government has a role to play in the everyday life of ordinary citizens of this province, and that concerns them, because they know from their own experience that over the years a good cooperation between government and private sector and ordinary citizens is what has gotten Ontario to where it is today.

They know that change needs to be made, and we all know that change needs to be made, but in this way, this quickly, and focusing so clearly on those who can least deal with the very difficult challenges that they will have to face as they look at, for example, 22% being taken out of their pay packages, as they look at losing their jobs, and as communities look at losing the very valuable services that they need in order to be able to provide the quality of life that we've all come to appreciate and that keeps us healthy in times when change is happening?

So tonight I rise on behalf of my community, the citizens whom I have spoken to over the last few days since the statement of Wednesday and the introduction of the omnibus bill on that same day, and I say to the government: Take some time, take some time to talk to the folks whom you represent out there, and hear what they're saying and give them the respect that's due. Recognize that they have something to contribute and recognize the traditions of this place and allow us to participate in the discussions that need to happen if this statement and this omnibus bill and the agenda of this government are going to be in any way helpful or healthy for the citizens of this province.

2300

**Mr Bisson:** I'd just like to comment on the member for Sault Ste Marie in regard to his contribution to the debate tonight. What the member was talking about I believe is not only the sentiments of the people I think of Sault Ste Marie, but quite frankly I think of many people across this province.

I can tell you that in this last weekend I had an opportunity, like most members, to go back to the riding and to discuss with many people in our communities, from Matheson to Iroquois Falls to Timmins, how they felt about how this government is operating. And one of the things that came across very clearly is what the member for Sault Ste Marie pointed out, which is, people really feel as if they've lost their voice. They feel that this government is moving with haste, without any due consultation or any due process afforded to the citizens of this province. People are upset.

I am quite frankly a little bit taken aback by the feeling of hate that exists within many of my constituents for what this government is doing, and I'm hearing people say things that quite frankly are quite alarming because they are talking in very strong terms about how they are mad at what the government is doing and are speaking in language that I think is a bit scary in any democracy. I think that's what happens when people feel that their democratic rights are being taken away without having the ability to have a say about what's happening within the province of Ontario. So I would like to echo the comments that the member for Sault Ste Marie made.

The second thing I would like to add to what he said, and I fully agree, is the other sense that's out there and that's really building that people are feeling that their communities are put at risk. We've worked very hard over a long, long time in this province, as in other provinces, to make sure that we build safe and clean communities, and I can tell you that the people in my communities expressed to me, and councils expressed to me, and chambers of commerce members even expressed to me on the weekend that they feel that the downloading that this government has undertaken with this bill really is going to add to the misery within those communities in not being able to afford a good, clean infrastructure and secure services for the people of the municipalities.

**Mr Dwight Duncan (Windsor-Walkerville):** I applaud the member for Sault Ste Marie and I think the members opposite ought to wake up and listen to him. He speaks with compassion and reason and understanding, all of which lack in the financial statement that your government tabled last week. The calls coming from across this province to protest your cuts, your indiscriminate cuts that hurt the poor, that hurt the most vulnerable in our society while at the same time you try to maintain an unreasonable tax commitment, a tax commitment that even the Treasurer himself has said he may not be able to keep—he and the Premier can't seem to agree on that right now, but we'll see how much of it you keep and we'll see what condition this economy's in when you're done with it. Our prediction is it'll go down the tubes because of your policies, because of your recipe for recession.

You stand well to listen to the member for Sault Ste Marie, who represents the interests of the poor municipalities and school boards. You would do well to listen to his words of caution because you're not listening to anyone else. The Premier said just before he left that we won't have a chance to vote on it. He's absolutely right. You didn't have the guts to bring in a budget. You



wouldn't even bring in a budget—the first time in the history of this province. Your financial statement lacks integrity, it lacks character, it lacks any kind of financial or economic foresight.

Every one of you, you're smug right now as you sit with your majority and as you hear accolades from your own benches, but I tell you, the people in this province will rise up when they recognize what you're doing. You leave the tough decisions to municipalities, you leave the tough decisions to school boards and you just say they shouldn't raise taxes. And what about casinos? There's a good one for you. Finally see the light. Did your government consult any of the backbenchers? You should be ashamed. This document's the ruin of Ontario.

**Mr Howard Hampton (Rainy River):** I too want to comment briefly on my colleague from Sault Ste Marie's speech. It seems to me when I listen to the comments of some of the members opposite, too often people's welfare and people's quality of life are only thought of in terms of how much can be cut from the budget.

Those of us who listen to these folks every day have come to understand—and I think the member for Sault Ste Marie understands this—that this government's desire to cut at health care, to cut at education and to cut at community services is based on its ideology. The fact that the province has a deficit at this point in time only facilitates the arguments they're trying to make, only facilitates the ideological direction they're taking. I think the member for Sault Ste Marie has spelled that out, that this government, no matter what the fiscal situation of the province is or was, would take this direction because they, like Ronald Reagan, who wrote the textbook for them, are driven by an ideology.

But that ideology hurts people, and the member for Sault Ste Marie, who spends a lot of time talking to his constituents and spends a lot of time in his community, is seeing now where the hurt is happening. It's happening to kids. Kids out there are being hurt badly. Family and children's services across the province are not able to offer the services they need to offer. Women are being hurt, particularly women who have already been subjected to physical and other kinds of abuse. And the list goes on.

I say the members of the government would be wise to listen to the member for Sault Ste Marie, because four years from now when your so-called economic miracle has fallen flat the way Ronald Reagan's economic miracle fell flat, the people who have been hurt will remember you, and they'll especially remember—

**The Speaker (Hon Allan K. McLean):** Time has expired. Further debate. The member for Willowdale.

*Interjection.*

**The Speaker:** Pardon me. The member for Sault Ste Marie has two minutes for his reply.

**Mr Martin:** Thank you, Mr Speaker. I want to—

**Mr Murdoch:** There have only been three.

**Hon Mr Harnick:** One more rotation.

**The Speaker:** Oh, one more? Pardon me. The member for Willowdale.

**Hon Mr Harnick:** I just want to quote what was in our clippings today as published in the *Globe and Mail*, an article by Patrick Luciani. One of the things he says is, "High taxes mean less growth." He goes on to say: "A higher tax on autos, for example, means fewer car sales. The result is that not only are no taxes paid on unsold cars, but society also loses jobs because of the non-production of cars in a reduced market. In effect, every tax dollar of revenue shrinks the economic pie." Mr Luciani goes on to say, "The real winners of Mr Harris's tax cuts are the middle classes who bore the brunt of higher average taxes over the past four decades."

Let me give you some statistics, just so I can prove that taxes and tax cuts don't just benefit rich people. Mr Speaker, 58% of those who filed income taxes in 1992 had an income of less than \$25,000—58% of people who filed; 66% of people who filed had an income of less than \$30,000; 79% had an income of less than \$40,000; and 87% had an income of less than \$50,000.

We all know that the best way to create jobs is to create more taxpayers. By reducing taxes, we are creating jobs and at the same time we are reducing taxes for 87% of the people who work in the province of Ontario. That is, in effect, the only raise that people in the province of Ontario have had in the last decade. That tax break will create jobs, and that, in conjunction with spending cuts, will bring the economy back to where we once were.

**Mr Martin:** To the Attorney General, if that's what your government is all about, then I guess my assumption that all of this was about the tax break is in fact the truth, because that's what he was talking about.

But I want to thank the other members who participated in this debate as well and tell them that I agree with them. People are upset and communities are being put at risk. I ask the members over there to listen just for a minute to the folks who live and work in your communities, to read the letters that they're writing to you, to take the phone calls when they make them and to hear them, hear what they're saying. They're afraid. They're afraid of your approach.

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**Hon Mr Harnick:** A pittance, now \$9 billion.

**Mr Martin:** Your answers are too simplistic.

**Mr Gerretsen:** He is out of order.

**The Speaker:** The member for Kingston and The Islands is out of order too.

**Mr Martin:** They're afraid that there's no content, and they're anxious about two things. They're anxious about the decisions that you're making, and they're anxious about the fact that you're not interested in anybody else's opinion. They're anxious about the fact that you're going to ram through your agenda in six months to a year; you're going to ignore the traditions and the process of this place; you're not going to listen to the rest of—

**Hon Dianne Cunningham (Minister of Intergovernmental Affairs, minister responsible for women's issues):** Twenty-two closure motions, Tony. Unprecedented: 22 closure motions.

**The Speaker:** The member for London North is out of order.

**Mr Martin:** —communities who have opinions and experience and advice to give; that you're just going to move holus-bolus straight forward, destroying lives, hurting people, destroying communities as you go. They're genuinely and sincerely concerned about that, and they want you to listen. They want to participate. They have something to say and they want to feel that you want to hear it, because if you involve them and you involve us and you respect the traditions of this place and you take stuff out to public hearing and you make the amendments—

**The Speaker:** The time has expired. Further debate.

**Mr Gary Fox (Prince Edward-Lennox-South Hastings):** It is with a great deal of pleasure that I rise in this House tonight in support of the government's economic statement. The people of the province now realize, as do the caucus colleagues, what the last 10 years of government has not been able to understand: Fundamental change in the way Ontario operates is the only answer if we are to get this province back on track.

The economic situation that the province is now facing has forced us to make some tough decisions. These decisions were not easy, nor were they taken lightly. But the fact of the matter is that without making these critical choices, Ontario is headed for fiscal disaster. The question is, why? Why is the great province of Ontario, the heartland of this country, facing such an enormous challenge? Why are we facing a \$100-billion debt and a \$10-billion deficit? The answer lies in the irresponsible tax-and-spend economics of the last 10 years of government.

To add to this, we learned upon taking office that the revenue projections in the NDP's April economic statement were inflated. In fact, there was a \$1.8-billion gap between the promises made and the money that was available to fulfil those promises. It is this time of mismanagement that has led us to the reality that we face today. We know, and the majority of Ontarians know, that immediate action is necessary.

We must work towards deficit reduction. We must work towards balancing the budget. We cannot get out of this financial hole unless we first stop digging ourselves deeper. We cannot ensure the future for our children if we do not face up to the economic realities of today. As a result, we are planning real cuts that will signify major change. We will be spending less money, but spending it more wisely.

The changes we make begin with ourselves. By the next provincial election, we will reduce the number of MPPs from 130 to 99. We will reform MPPs' tax-free allowances and MPPs' pensions. We will also be reducing unnecessary programs and administration throughout government. We must streamline our operations and eliminate the waste and duplication of services that have plagued our province for years.

As a result, we are now in the process of redesigning the public sector. We are changing government so it will once again effectively work for those it was designed to

serve, the people of Ontario. To do this we are calling on our transfer partners— school boards, hospitals and municipalities—to share in this vision. We must all be more efficient in the way we deliver services. We'll help our transfer partners to do this by giving them the tools they need to find savings and reduce costs. Our government believes that each partner needs this autonomy so they can design delivery systems that make sense to the people they serve at the local level.

The priority of this government has been, from day one, a healthy economy and job creation. To spur this growth we will be reducing provincial income tax rates, because consumer spending accounts for over 60% of our economy's activity. Reducing the tax rates will stimulate spending in this sector. It will lead to many new jobs.

The changes this government is making in the economic statement are necessary. Although some of these changes will be tough in the longer term, they will be an important part of the solution to Ontario's economic situation.

There are many reasons that I wanted to be part of this solution. My father, a municipal politician for years and a staunch Conservative supporter, provided a lot of my inspiration. As well, the riding that I spent my whole life living and working in was represented by two men who made a difference: Norris Whitney and James Taylor. These men made significant contributions to the riding, a tradition that I want to follow.

I myself have been involved in the local political process in Prince Edward-Lennox-South Hastings for 20 years. I'm very proud of my riding, a community of people I have been honoured to work for. These are all factors that contributed to my decision to be a member of provincial Parliament, but the overwhelming reason I chose to run is that I finally heard a message that made sense, a message that had guts, a message that I could believe in. As we all know, this message involves making tough but necessary choices, and the person behind the message was someone I could respect, a true leader who said what he meant and meant what he said. That is why I'm here today.

I spoke a few moments ago about the great riding of Prince Edward-Lennox-South Hastings. I would now like to take a moment or two to elaborate on this area, one of the most beautiful places in the province of Ontario.

Much of the beauty of my riding is a result of the more than 800 kilometres of shoreline that surrounds it. It has more unprotected shoreline than any other part of the province. It has the largest freshwater baymouth sand dune system in North America. This area is more properly known as Sandbanks Provincial Park.

Just as important to the charter of Prince Edward county is its sense of history. The county was settled by United Empire Loyalists in the 1780s, and many of their descendants still live, work and farm here. Four generations of my family are riding residents. Proudly, my sons Ian and Kyle continue the farming tradition. This connection to the past is evident in the old farms that dot the countryside and in the streets of historic towns like Bloomfield, Picton and Wellington.



The business community is also a very important component of my riding. Included in this community are companies such as Essroc, a cement manufacturer, and Highland Produce, a mushroom farm celebrating its 25th year in business and currently undergoing a major expansion.

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In the county of Hastings you will find a community that is rich in its diversity. In Thurlow township there is an excellent combination of quiet country and specialized business. It is home to companies such as Black Diamond Cheese, Maple Dale Cheese and Wimpey Construction. Also in Hastings county you will find Deseronto, "eastern gateway to the Bay of Quinte," with the Skyway bridge providing access to Prince Edward county.

Tyendinaga in Hastings county is home to a Mohawk community that is committed to preserving its rich cultural heritage. Tyendinaga also has a very successful First Nations Technical Institute, which celebrated its 10th anniversary this past August. It is the only on-territory, aboriginal post-secondary educational facility in Ontario.

Another integral part of my riding is Lennox. It has the communities of Amherstview, Bath and Napanee. The town of Napanee is known as the "walleye capital of Ontario." A very historic community, it became the county town in 1864. The local newspaper, the Napanee Beaver, is celebrating its 125th year in operation.

The Lennox business district is proud to have among its members such companies as St Marys Cement, Bombardier Inc, Destec Energy Inc and Celanese, a plastics manufacturer that is currently undergoing a \$190-million expansion project. Lennox is also home to Gibbard Furniture, which is Canada's oldest and most respected furniture maker, having incorporated in 1835.

The Lennox generating station at Bath helps ensure power transmission for the entire eastern seaboard of North America.

The economic base of the riding has primarily been agriculture, and we are very proud of our farmers.

Tourism has also become a very important sector in the local economy. It is a 94-kilometre span between Kingston in the east and Trenton in the west, with the Glenora ferry in Picton providing an essential link in this journey. Tourists travelling this route trace the steps of the first loyalist settlers of the last 18th century. As you can see, Prince Edward-Lennox-South Hastings is a region that is rich in heritage. It is geographically both unique and beautiful.

The people of my riding are proud of their communities. They have a long and effective tradition of working together to make good things happen. These people care deeply about their province and their communities. On June 8, they spoke and said it was time for true change. My constituents and all Ontarians deserve a government that is fully committed to fiscal responsibility and returning economic prosperity to this province.

The economic statement that Minister Eves introduced last Wednesday is a very important step on the road back to prosperity. There are many challenges that face us all

in the months ahead. By creating true partnerships and by drawing on our traditional strengths we will bring hope, growth and new jobs to the province of Ontario.

**Mr Gerretsen:** First of all, I would like to congratulate my neighbour to the west for his maiden speech in the House today and I concur with him on one thing: We are from the nicest part of Ontario, and certainly Prince Edward county and the Napanee area—he didn't say anything nice about the Kingston area but I'm sure he'd agree with me that he does most of his shopping in the Kingston area. It is a super area and we certainly want as many people as possible to come and visit that area.

He did say a very interesting thing, though: that he is proud to be part of a government that is fully committed to fiscal responsibility, and I'm sure he believes that. I've had an opportunity to speak with the member on a number of occasions. What I can't understand, in light of him saying that, if he would turn to page 42 of the fiscal statement: I wonder how he can explain how the public debt of this province is going to go from \$97.2 billion to \$120 billion in the year 1999.

I'm sure he would agree with me that if he is part of a fiscally responsible government he would tell his colleagues in the back bench, and particularly the ministers of this government, that it is totally irresponsible, in circumstances where the public debt of the province is going to grow by almost \$25 billion, projected by the government's own figures, that any tax cut should take place.

I'm sure he will convince all the members of his caucus tomorrow morning when he says: "Fellows and ladies, this is the wrong thing to do. We should cut down the deficit in this province and there should not be any tax cut at all, because then, if we don't have a tax cut we can save at least \$20 billion of that \$25-billion increase in the public debt over the next five years." So, Gary, I'm counting on you and I'm sure you'll do it tomorrow. Congratulations on a good speech.

**Mr John R. Baird (Nepean):** I congratulate my colleague for a most excellent first speech and he spoke about Napanee. My great-grandmother came from Napanee. He also spoke of the Napanee Beaver. My great-grandmother used to say, "You never do anything you wouldn't want printed on the front page of the Napanee Beaver," and that's a good lesson for us all.

My honourable friend mentioned why he decided to run for this place: because there was finally a political leader and a party offering real solutions to the province's problems, and I couldn't agree more.

I noted that our friend from Kingston mentioned tax cuts. I know my colleague agrees with cutting taxes because we want to create jobs. We had a choice. We could have said no to the unemployed. "You'll have to wait, unemployed; you'll have to wait for five years until the budget's balanced." But our plan is to cut taxes now to create the jobs now because we've got to create hope and opportunity, and I totally agree with my colleague in that estimation.

While I've got the floor I'll just take the opportunity to correct the record. I was reading the new government

of Ontario telephone directory tonight—this perhaps could also be considered a point of personal privilege—on page 11 of the new directory, published by the Management Board, I believe my civil liberties have been egregiously violated as a member of this House. It says, “Nepean member: Baird, John, LIB.”

I want to correct the record. I have never been a member of the Liberal Party, I am not a member of the Liberal Party and I never will be a member of the Liberal Party.

**Mr Duncan:** I listened to the member for Prince Edward-Lennox-South Hastings's maiden speech and I listened with some sorrow. He didn't address the way the government is jamming Bill 26 down the throats of this Legislature, an unprecedented statute that deals with 43 existing statutes and adds two new ones. It affects the very way we govern every aspect of our lives, and they chose to do it without any kind of consultation: 14 days staying till midnight with no public hearings, pass and we govern ourselves entirely differently.

I can tell the member that those people in your riding, the school boards, the municipalities, the individuals, the hospitals that could be affected by the Minister of Health's ability to unilaterally close a hospital, won't like it. When people start to understand not only what is in this bill but how you have conducted yourselves, they will be appalled, as we are, and they will not stand for it.

We have seen so many pieces of legislation brought forward, rushed through the House, no consultation, no hearings—43 bills. It's an absolute travesty to the democratic process in this province. The government opposite, the government which, by the way, promised public input and consultation, chooses to bring forward a bill like this that affects every aspect of our governance. You'll regret it. You'll lose the next election if you conduct yourselves this way.

2330

**Mr Tilson:** I'd like to congratulate the member for Prince Edward—Lennox—South Hastings; it just takes a long time to say the name. I'm sure the members of his riding will tell you what exactly they felt on June 8 and what they wanted this government to do.

*Interjection.*

**Mr Tilson:** You like my tie? Well, it's a Christmas tie.

I'm sure the members in his riding talked about all of the disaster that has been going on in this province for the last 10 years, the fact that we needed to do less. The fact of the matter is, this province is bankrupt. That's what the previous governments have done in this province and we had to change that and change it fast. When you're spending \$9 billion to \$10 billion a year on interest only we have to have drastic change. I'm sure that the members in his riding have said that and will continue to say that, as they are saying in all the ridings across this province.

We intend to do less; we intend to pull out of activities that should be left to others; we intend to transfer authority back to local communities, and that's what the bill that you talk about is going to do. We intend to give school boards, hospitals, municipalities and other partners

the tools they need to find efficiency in reduced costs, and that's what we're all talking about. We've got too much government, too much interference by government, by the state, in our lives and we intend to change that. We intend to streamline government operations in reducing costs.

Can you imagine the trouble we've had, as private individuals, in trying to get things through this province? The processes have become unbelievable. We've been weighed down by the regulations and bureaucracies that have been set by the Liberal government and the former NDP government. We intend to change that, and I'm sure that's what the people in his riding of Prince Edward-Lennox-South Hastings have said.

I congratulate him on his maiden speech and I know we'll be hearing many more great speeches from him.

**Mr Fox:** To the member for Kingston and The Islands: I appreciate some of his comments, but not his views on my caucus. It's interesting that his riding is trying to annex some of mine, so I guess he has a lot of appreciation for it on that account.

The riding of Prince Edward-Lennox-South Hastings is basically a rural and small-town riding of hardworking, pay-their-way people who are concerned about Ontario's debt. They have given me a strong commitment that they want something done about it. They know they have to have a chance to create jobs. They know we can't do it on our own. They want government spending under control; they want the public sector restructured to work more efficiently. They know there are tough measures, but they are necessary, and the human cost of doing nothing is too high.

**Mr Bruce Crozier (Essex South):** It's a pleasure to return to the quiet decorum of the House on this Monday, after last Thursday. I appreciate the fact that so many members have stayed around so late this evening to hear what we all have to say. I had a great weekend at home, and today, as a matter of fact, I had the opportunity to attend the Jake McLean dinner in Harrow, which after 65 years is an annual dinner at which the wardens traditionally give their speeches prior to the wardens' election. I'm sure many in this Legislature have attended those kinds of functions.

One thing that was mentioned to me today, and I have to preface this by quoting from the economic statement, where it says the measures in the economic statement “create the opportunity for local governments to become more streamlined, more autonomous, more accountable to the local ratepayer, and less expensive. Ontarians expect to see their local governments work better and cost less”: The one common theme today was the fact that local governments have for some time cost less, been more streamlined and handled their affairs in a way that's superior, I think, to some of the senior levels of government.

As a matter of fact, I had a friend whom I gave the economic statement to on Friday who pointed out to me that he wondered whether the government had made a mistake or whether they were actually being honest. He referred me to the schematic on Ontario's deficit on page 32, and lo and behold, 1989-90 was the only balanced budget in the last 25 years.



**Mr Duncan:** Who did that?

**Mr Crozier:** I wasn't here, but I recall that it was a Liberal government.

We've heard a lot said about the wasted 10 years. What the members across don't talk about is the wasted 14 years before 1989-90. I just wanted to point that out, and I pointed out to my constituent that was accurate, that the government was telling the truth and that the only balanced budget we have had in the last 25 years was a Liberal balanced budget. A little further, there no doubt has been a lot said today and I think a lot of it's said with good intent; all speakers have felt that they were saying it accurately, so I thought, with these statistics that we've been given today, that perhaps I should bring a few to the attention of the House.

I have here the comparisons of the PC, Liberal and NDP governments. The PC government indicators run from 1981 to 1985; the Liberal indicators that I'm going to mention to you run from 1986 to 1990; and the NDP indicators on the budgetary side run from 1991 to 1995, and on the economic side from 1991 to 1994. If the members are getting a little tired and they don't want to make note of this I'd be pleased to provide copies to you. The unemployment rate per year, as a per cent, under the PC governments in those years, 1981 to 1985, was 8.7%; the unemployment rate under the NDP government in the years 1991 to 1994, 10.3%; the unemployment rate under the Liberals from 1985 to 1990, 5.9%.

We get to jobs created, and I think this government says it's going to create 725,000 jobs over the next five years. We already know that in the current period it's only 81,000 jobs. I think you're projecting, and they're your own figures in the economic statement, that there are going to be somewhere around 100,000 in the next year. That means, then, that in the remaining years you're going to have to create 145,000 jobs a year. I have to admit they aren't going to create the jobs themselves; they're going to create the climate in which those jobs can be made. But let's talk about the historical perspective on jobs created by the three governments that I've referred to.

The PCs, they created an average of 64,800 jobs a year, the NDP unfortunately had a minus of 20,500 jobs on average, and the Liberals 112,000 jobs a year, the real gross domestic product growth as a per cent per year, and I'll save the best for last here. The NDP was only 1% and they went through some very tough, tough economic times, a lot of which they didn't have any control over. The Liberal growth, in their period of governing, of gross domestic product was 3.4%, and here we save the best for last. The PCs did have 3.6%.

2340

**Hon Mr Harnick:** Over how many years?

**Mr Crozier:** I already told you, but I'll repeat it. The PC indicator economic was 1981 to 1985, ours was 1986 to 1990 and the NDP was 1991 to 1994.

We've had a lot to say about deficits today so let's talk about deficits. The NDP in their period of governing, their average deficit, \$10.3 billion.

*Interjection.*

**Mr Crozier:** I heard "Shame" from over there. The PC's average deficit, \$2.7 billion, and I've saved the best for last again. The Liberal average deficit was \$2 billion and, as I said before, the Liberal government had the only balanced budget in the last 25 years.

Here's a really interesting statistic: growth in spending per budget. I'll bet that a lot of the newer members in the PC caucus didn't realize this, but the growth per spending in a per cent per budget, and again I'll save the best for last, but the PCs led the way with 12% growth in spending per budget. The Liberals, their growth in spending per budget was 9.6%, and the NDP—I don't think across they'll realize this but the NDP's growth was only 4.1%.

Now we come to another very interesting figure. This is the growth in debt per budget, the growth in debt per budget of the three governments. The NDP had 21.1%, nothing to be proud of, but I said that we've gone through some tough economic times. But here's the one that surprised me. The PC party's growth in debt per budget as a per cent was 11.4%—unbelievable—and the Liberals during their period, 5.9%.

Tax revenue increases per budget in millions of dollars—these are figures that I'd be glad to supply to either of the other two parties: \$965 million for the NDP; \$576 million for the PCs. These are the non-tax perfect spenders that we're talking about, and they ran second to the NDPs. The Liberals over that period of time, their growth over their period of governing was \$510 million per budget.

And here's another interesting thing—and it's amazing what these figures will show you—tax increases per budget. I've heard the words "tax and spend," and "You guys increase taxes all over the place." Tax increases per budget: The NDP unfortunately in their period led the way with 7.3 tax increases per budget. The Liberals, on the other hand, were less. They had 5.3 tax increases per budget. But lo and behold, running right in the middle, ahead of the Liberals, a little bit behind the NDP, the Tories had six tax increases per budget over the period of 1981 to 1985. That's really hard to believe, but the figures don't lie.

Now we talk about tax decreases per budget. The tax decreases per budget were 4.3 for the Liberals. The Liberals led the way in tax decreases. So if you want to take an average, we had one tax increase net over the period of time that we governed. But lo and behold, the PCs had two tax decreases, so they had a net of four tax increases.

I know this is boring you, so that's why I offered to send this over to you later.

The NDP had three tax decreases during its time in office, for a net of 4.3.

Now, the interesting thing about that is that we hear kind of sanctimoniously from those across the floor that they have an unblemished record. Let me tell you, you share in a record just right along with everybody else.

I mentioned earlier that I spent a great weekend back in Essex South and I want to tell you a little bit about Essex South. It's a small urban/rural riding. The largest community is 15,000 people; the smallest community is

about 2,500. The county of Essex's population will increase by 18% from 1991 to 1996. It might interest you to know, although it might not surprise you, that the population is aging. Persons aged 65 and over will be 20% of the population in Essex South in the year 2036, as compared with only 8% in 1961, and the median age will increase from about 34 years of age to 41.

The reason I tell you that is because one of the greatest concerns, if not the greatest concern, in Essex South is health care. With an aging population, obviously health care is of great concern. As we all went door to door—and I think I mentioned this last week—we liked our constituents, the residents of our riding, to believe what we have to say. Rarely did I dwell on what the opposition parties were saying, because I am sure that they are very well able to speak for themselves. But the point I want to make is that each of us wants our constituents and our residents to feel that we are telling them the truth, because we put our names on the line, whether we're a candidate, whether we eventually win or whether we lose. We put our names on the line and we want our residents to believe what we say.

Well, the biggest concern that my constituents have with their health care future is the fact that a government was elected that solemnly said it wouldn't cut one cent from health care—not one cent.

**Mr Wettlaufer:** Is that a prop?

**Mr Crozier:** I don't know whether it is or not, but it certainly makes the point.

What they can't understand is that in this budget or in this economic statement there would be a figure that represents some \$1.5 billion in spending reductions in health care. In fact, if you refer to page 22 of the economic statement, it says, "Funding in 1996-97 will be constrained by \$365 million...." Well, the interpretation that we have in Essex South is that constraint in this case is simply a cut.

Then they go on to say that "The amount of the constraint will increase by \$435 million in 1997-98 and by an additional \$507 million in 1998-99."

2350

Those words alone may not be too alarming if in fact the government then would say, "But during those years, the first being 1996-97, not only will we constrain spending on hospitals, but what we'll do is we'll put \$365 million back in other areas of health care." But I can't find where it says that in this document.

My constituents wouldn't have been concerned if they'd heard that the amount of the constraint will increase by \$435 million in 1997-98, if only the document had said, "But we are going to put \$435 million back into the health care system in 1997-98." But it doesn't say that.

It goes on to say that the additional constraint of \$507 million in 1998-99—they would have been much more comforted if they could have seen something in the document that would have said, "But we're going to put \$507 million back into your health care in that period of time."

Who could we go to who could more speak for the government than the Premier himself? I quote a couple of

things that he said. One is: "A copayment is a user fee. Rationing leads to user fees. Parental contribution is a user fee." The Premier said that in this Legislature on November 30, 1993, when he was leader of the third party of that time. He went on to say, among other things, "a fee hike is the same as a tax hike." That also was said by the now Premier to the Toronto Sun on September 30, 1993.

Again, what bothers the seniors in my riding, those 20% of the population in my riding, is that just last week in the Legislature it was announced that seniors and welfare recipients will be charged a \$2 copayment fee. The Premier himself said, "A copayment is a user fee." So what the seniors heard then is that this government is going to charge them a user fee, and that will be on every prescription that's filled. There's no maximum. "It doesn't matter how sick you are; we're going to tax you at least \$2 for each prescription."

Those seniors who are single with incomes over \$16,000, or those who are families with over \$24,000 of income, will be required to pay the first \$100 worth of drug costs, and after that pay the dispensing fee to a maximum of \$6.11 for each prescription filled. Again, there's no overall maximum that an individual may have to pay each year. These changes, as we all know, come into effect in 1996.

The Finance minister said on Focus Ontario, I believe it was, on Saturday night that there may be individual cases that they haven't looked at. We have reminded now for weeks and even over the last couple of months the Minister of Social Services that there are a lot of individual cases in this province, Mr Premier, that they apparently have overlooked, because they weren't going to hurt the disabled, they weren't going to hurt seniors. They said this day in and day out, and yet what happens? Well, they announce that there's going to be a user fee.

I think the travesty of this is how they're going to finance, on the backs of those who are less fortunate—and in my case, the seniors in my riding—how they're going to finance these health care cuts and other cuts that they've announced in the economic statement.

I think we heard one of the government members say this evening they were blaming it on the two opposition parties, because over the years they spent and didn't increase taxes. I don't know whether he's a proponent of increasing taxes. If so, it would sound like he's a little different than the rest of his colleagues.

I don't think this government can stand there and righteously say, "We're not hurting those who are less fortunate," while at the same time giving a tax cut to those who are better off.

We heard earlier this evening that the majority of those who will receive the tax cut are of the middle class. The only thing I can't understand about that is that they're giving the biggest tax cut to those who make well above \$50,000 a year. In fact, those who make \$75,000 a year are going to receive a tax reduction in excess of 9%. Those who make around \$50,000 a year, which was referred to earlier, they're going to get a tax cut in the neighbourhood of 8%. But unfortunately, those in the \$25,000—\$30,000 range are only going to get a tax reduction of 7%.



Again, the Minister of Finance said on Focus Ontario on Saturday night—I guess I’m like the leader of the third party: If I mention Focus Ontario enough, I may get on it—and I really couldn’t believe this, but I marked it down—he said, “We have not yet structured the tax cut.” Now, we’ve heard a lot of ballyhooing over the last year or so that, “We have had our plan in place for two years.” Two years they’ve had their plan in place, yet they don’t know how they’re going to structure their tax cut. This is government in rather an ad hoc way. I was shocked to hear the Minister of Finance say: “We’re going to give a tax cut; we just don’t know how we’re going to do it. We know we’re going to give it to those

who are better off, we know that much, but we just don’t know how we’re going to structure it.” So here we are, two years into the magic plan, and they don’t know how they’re going to structure this tax cut.

The hour is drawing late, the rhetoric has been long—and I would include my own in that—but I welcome the opportunity to speak to the Legislature, and if there was anything that you didn’t take notes on this evening, I’d be pleased to provide them for you.

**The Speaker:** It being almost 12 of the clock, this House stands adjourned until 1:30 of the clock tomorrow.

*The House adjourned at 2359.*

## ERRATUM

No.	Page	Column	Lines	Should read:
24	797	1	37-38	Roman Catholic School Board and its chair, Cathy Urban, which reads as follows:

**LEGISLATIVE ASSEMBLY OF ONTARIO  
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

**Lieutenant Governor / Lieutenant-gouverneur: Lt Col The Hon / L'hon Henry N.R. Jackman CM, KStJ, BA, LLB, LLD**

**Speaker / Président: Hon / L'hon Allan K. McLean**

**Clerk / Greffier: Claude L. DesRosiers**

**Senior Clerk Assistant and Clerk of Journals / Greffier adjoint principal et Greffier des journaux: Alex D. McFedries**

**Clerk Assistant and Clerk of Committees / Greffière adjointe et Greffière des comités: Deborah Deller**

**Sergeant at Arms / Sergent d'armes: Thomas Stelling**

Member / Député(e)	Constituency / Circonscription	Party / Parti	Other responsibilities / Autres responsabilités
Agostino, Dominic	Hamilton East / -Est	L	
Arnott, Ted	Wellington	PC	
Baird, John R.	Nepean	PC	parliamentary assistant to the Minister of Labour / adjoint parlementaire de la ministre du Travail
Barrett, Toby	Norfolk	PC	
Bartolucci, Rick	Sudbury	L	
Bassett, Isabel	St Andrew-St Patrick	PC	parliamentary assistant to the Minister of Finance, deputy government House leader / adjointe parlementaire du ministre des Finances, chef parlementaire adjointe du gouvernement
Beaubien, Marcel	Lambton	PC	parliamentary assistant (rural affairs) to the Minister of Agriculture, Food and Rural Affairs / adjoint parlementaire (secteur Affaires rurales) du ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
Bisson, Gilles	Cochrane South / -Sud	ND	
Boushy, Dave	Sarnia	PC	
Boyd, Marion	London Centre / -Centre	ND	
Bradley, James J.	St Catharines	L	deputy opposition leader, opposition House leader / chef adjoint de l'opposition, chef parlementaire de l'opposition
Brown, Jim	Scarborough West / -Ouest	PC	
Brown, Michael A.	Algoma-Manitoulin	L	deputy opposition whip / whip adjoint de l'opposition
Caplan, Elinor	Oriole	L	chief opposition whip / whip en chef de l'opposition
Carr, Gary	Oakville South / -Sud	PC	parliamentary assistant to the Solicitor General and Minister of Correctional Services / adjoint parlementaire du solliciteur général et du ministre des Services correctionnels
Carroll, Jack	Chatham-Kent	PC	
Castrilli, Annamarie	Downsview	L	
Chiarelli, Robert	Ottawa West / -Ouest	L	
Christopherson, David	Hamilton Centre / -Centre	ND	deputy New Democratic Party whip / whip adjoint du Nouveau Parti démocratique
Chudleigh, Ted	Halton North / -Nord	PC	
Churley, Marilyn	Riverdale	ND	Second Deputy Chair of the Committee of the Whole House / Deuxième Vice-Présidente du Comité plénier de l'Assemblée législative
Cleary, John C.	Cornwall	L	
Clement, Tony	Brampton South / -Sud	PC	parliamentary assistant to the Minister of Citizenship, Culture and Recreation / adjoint parlementaire de la ministre des Affaires civiques, de la Culture et des Loisirs
Colle, Mike	Oakwood	L	
Conway, Sean G.	Renfrew North / -Nord	L	
Cooke, David S.	Windsor-Riverside	ND	New Democratic Party House leader / chef parlementaire du Nouveau Parti démocratique
Cordiano, Joseph	Lawrence	L	
Crozier, Bruce	Essex South / -Sud	L	deputy opposition whip / whip adjoint de l'opposition
<b>Cunningham, Hon / L'hon Dianne</b>	London North / -Nord	PC	Minister of Intergovernmental Affairs, minister responsible for women's issues / ministre des Affaires intergouvernementales, ministre déléguée à la Condition féminine
Curling, Alvin	Scarborough North / -Nord	L	



Member / Député(e)	Constituency / Circonscription	Party / Parti	Other responsibilities / Autres responsabilités
Danford, Harry	Hastings-Peterborough	PC	parliamentary assistant (agriculture and food) to the Minister of Agriculture, Food and Rural Affairs / adjoint parlementaire (secteurs Agriculture et Alimentation) du ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
DeFaria, Carl	Mississauga East / -Est	PC	
Doyle, Ed	Wentworth East / -Est	PC	assistant deputy government whip / whip adjoint suppléant du gouvernement
Duncan, Dwight	Windsor-Walkerville	L	
Ecker, Janet	Durham West / -Ouest	PC	parliamentary assistant to the Minister of Community and Social Services / adjointe parlementaire du ministre des Services sociaux et communautaires
<b>Elliott, Hon / L'hon Brenda</b>	Guelph	PC	Minister of Environment and Energy / ministre de l'Environnement et de l'Énergie
<b>Eves, Hon / L'hon Ernie L.</b>	Parry Sound	PC	Deputy Premier, Minister of Finance, government House leader / vice-premier ministre, ministre des Finances, leader parlementaire du gouvernement
Fisher, Barbara	Bruce	PC	
Flaherty, Jim	Durham Centre / -Centre	PC	parliamentary assistant to the Minister of Consumer and Commercial Relations / adjoint parlementaire du ministre de la Consommation et du Commerce
Ford, Douglas B.	Etobicoke-Humber	PC	
Fox, Gary	Prince Edward-Lennox-South Hastings / Prince Edward-Lennox-Hastings-Sud	PC	
Froese, Tom	St Catharines-Brock	PC	
Galt, Doug	Northumberland	PC	parliamentary assistant (environment) to the Minister of Environment and Energy / adjoint parlementaire (secteur Environnement) de la ministre de l'Environnement et de l'Énergie
Gerretsen, John	Kingston and The Islands / Kingston et Les Îles	L	
Gilchrist, Steve	Scarborough East / -Est	PC	
Grandmaître, Bernard	Ottawa East / -Est	L	
Gravelle, Michael	Port Arthur	L	
Grimmett, Bill	Muskoka-Georgian Bay / Muskoka-Baie-Georgienne	PC	parliamentary assistant (tourism) to the Minister of Economic Development, Trade and Tourism / adjoint parlementaire (secteur Tourisme) du ministre du Développement économique, du Commerce et du Tourisme
Guzzo, Garry J.	Ottawa-Rideau	PC	parliamentary assistant (energy) to the Minister of Environment and Energy / adjoint parlementaire (secteur Énergie) de la ministre de l'Environnement et de l'Énergie
Hampton, Howard	Rainy River	ND	
Hardeman, Ernie	Oxford	PC	parliamentary assistant (municipal affairs – rural) to the Minister of Municipal Affairs and Housing / adjoint parlementaire (Affaires municipales – secteur rural) du ministre des Affaires municipales et du Logement
<b>Harnick, Hon / L'hon Charles</b>	Willowdale	PC	Attorney General, minister responsible for native affairs / procureur général, ministre délégué aux Affaires autochtones
<b>Harris, Hon / L'hon Michael D.</b>	Nipissing	PC	Premier and President of the Executive Council / premier ministre et président du Conseil exécutif
Hastings, John	Etobicoke-Rexdale	PC	
<b>Hodgson, Hon / L'hon Chris</b>	Victoria-Haliburton	PC	Minister of Natural Resources, Minister of Northern Development and Mines / ministre des Richesses naturelles, ministre du Développement du Nord et des Mines
Hoy, Pat	Essex-Kent	L	
Hudak, Tim	Niagara South / -Sud	PC	
<b>Jackson, Hon / L'hon Cameron</b>	Burlington South / -Sud	PC	Minister without Portfolio (Workers' Compensation Board) / ministre sans portefeuille (Commission des accidents du travail)
Johns, Helen	Huron	PC	parliamentary assistant to the Minister of Health / adjointe parlementaire du ministre de la Santé

Member / Député(e)	Constituency / Circonscription	Party / Parti	Other responsibilities / Autres responsabilités
Johnson, Bert	Perth	PC	Deputy Speaker and Chair of the Committee of the Whole House / Vice-Président de la Chambre et Président du Comité plénier de l'Assemblée législative
<b>Johnson, Hon / L'hon David</b>	Don Mills	PC	Chair of the Management Board of Cabinet / président du Conseil de gestion
Johnson, Ron	Brantford	PC	
Jordan, Leo	Lanark-Renfrew	PC	deputy government whip / whip adjoint du gouvernement
Kells, Morley	Etobicoke-Lakeshore	PC	
Klees, Frank	York-Mackenzie	PC	parliamentary assistant to the Minister of Natural Resources / adjoint parlementaire du ministre des Richesses naturelles
Kormos, Peter	Welland-Thorold	ND	
Kwinter, Monte	Wilson Heights	L	
Lalonde, Jean-Marc	Prescott and Russell / Prescott et Russell	L	
Lankin, Frances	Beaches-Woodbine	ND	chief New Democratic Party whip / whip en chef du Nouveau Parti démocratique
Laughren, Floyd	Nickel Belt	ND	deputy New Democratic Party leader / chef adjoint du Nouveau Parti démocratique
<b>Leach, Hon / L'hon Al</b>	St George-St David	PC	Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement
Leadston, Gary L.	Kitchener-Wilmot	PC	
Marchese, Rosario	Fort York	ND	
Marland, Margaret	Mississauga South / -Sud	PC	
Martel, Shelley	Sudbury East / -Est	ND	
Martin, Tony	Sault Ste Marie	ND	
Martiniuk, Gerry	Cambridge	PC	
Maves, Bart	Niagara Falls	PC	
McGuinty, Dalton	Ottawa South / -Sud	L	
<b>McLean, Hon / L'hon Allan K.</b>	Simcoe East / -Est	PC	Speaker / Président
McLeod, Lyn	Fort William	L	Leader of the Opposition / chef de l'opposition
Miclash, Frank	Kenora	L	deputy opposition House leader / chef parlementaire adjoint de l'opposition
Morin, Gilles E.	Carleton East / -Est	L	First Deputy Chair of the Committee of the Whole House / Premier Vice-Président du Comité plénier de l'Assemblée législative
Munro, Julia	Durham-York	PC	parliamentary assistant to the Premier / adjointe parlementaire du premier ministre
Murdoch, Bill	Grey-Owen Sound	PC	parliamentary assistant to the Minister of Northern Development and Mines / adjoint parlementaire du ministre du Développement du Nord et des Mines
<b>Mushinski, Hon / L'hon Marilyn</b>	Scarborough-Ellesmere	PC	Minister of Citizenship, Culture and Recreation / ministre des Affaires civiques, de la Culture et des Loisirs
Newman, Dan	Scarborough Centre / -Centre	PC	parliamentary assistant to the minister responsible for native affairs / adjoint parlementaire du ministre délégué aux Affaires autochtones
North, Peter	Elgin	Ind	
O'Toole, John R.	Durham East / -Est	PC	
Ouellette, Jerry J.	Oshawa	PC	parliamentary assistant to the Minister of Transportation / adjoint parlementaire du ministre des Transports
<b>Palladini, Hon / L'hon Al</b>	York Centre / -Centre	PC	Minister of Transportation / ministre des Transports
Parker, John L.	York East / -Est	PC	
Patten, Richard	Ottawa Centre / -Centre	L	
Pettit, Trevor	Hamilton Mountain	PC	
Phillips, Gerry	Scarborough-Agincourt	L	
Pouliot, Gilles	Lake Nipigon / Lac-Nipigon	ND	
Preston, Peter L.	Brant-Haldimand	PC	
Pupatello, Sandra	Windsor-Sandwich	L	



Member / Député(e)	Constituency / Circonscription	Party / Parti	Other responsibilities / Autres responsabilités
Rae, Bob	York South / -Sud	ND	New Democratic Party leader / chef du Nouveau Parti démocratique
Ramsay, David	Timiskaming	L	
Rollins, E.J. Douglas	Quinte	PC	
Ross, Lillian	Hamilton West / -Ouest	PC	assistant deputy government whip / whip adjoint suppléant du gouvernement
<b>Runciman, Hon / L'hon Robert W.</b>	Leeds-Grenville	PC	Solicitor General and Minister of Correctional Services / solliciteur général et ministre des Services correctionnels
Ruprecht, Tony	Parkdale	L	
Sampson, Rob	Mississauga West / -Ouest	PC	parliamentary assistant to the Minister of Finance / adjoint parlementaire du ministre des Finances
<b>Saunderson, Hon / L'hon William</b>	Eglinton	PC	Minister of Economic Development, Trade and Tourism / ministre du Développement économique, du Commerce et du Tourisme
Sergio, Mario	Yorkview	L	
Shea, Derwyn	High Park-Swansea	PC	parliamentary assistant (municipal affairs – urban) to the Minister of Municipal Affairs and Housing / adjoint parlementaire (Affaires municipales – secteur urbain) du ministre des Affaires municipales et du Logement
Sheehan, Frank	Lincoln	PC	
Silipo, Tony	Dovercourt	ND	deputy New Democratic Party House leader / chef parlementaire adjoint du Nouveau Parti démocratique
Skarica, Toni	Wentworth North / -Nord	PC	parliamentary assistant to the Minister of Education and Training / adjoint parlementaire du ministre de l'Éducation et de la Formation
Smith, Bruce	Middlesex	PC	
<b>Snobelen, Hon / L'hon John</b>	Mississauga North / -Nord	PC	Minister of Education and Training / ministre de l'Éducation et de la Formation
Spina, Joseph	Brampton North / -Nord	PC	parliamentary assistant (small business) to the Minister of Economic Development, Trade and Tourism / adjoint parlementaire (secteur petites entreprises) du ministre du Développement économique, du Commerce et du Tourisme
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Stewart, R. Gary	Peterborough	PC	
Stockwell, Chris	Etobicoke West / -Ouest	PC	
Tascona, Joseph N.	Simcoe Centre / -Centre	PC	
Tilson, David	Dufferin-Peel	PC	parliamentary assistant to the Attorney General / adjoint parlementaire du procureur général
<b>Tsubouchi, Hon / L'hon David H.</b>	Markham	PC	Minister of Community and Social Services / ministre des Services sociaux et communautaires
Turnbull, David	York Mills	PC	chief government whip / whip en chef du gouvernement
Vankoughnet, Bill	Frontenac-Addington	PC	
<b>Villeneuve, Hon / L'hon Noble</b>	S-D-G & East Grenville / S-D-G et Grenville-Est	PC	Minister of Agriculture, Food and Rural Affairs, minister responsible for francophone affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales, ministre délégué aux Affaires francophones
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Wildman, Bud	Algoma	ND	
<b>Wilson, Hon / L'hon Jim</b>	Simcoe West / -Ouest	PC	Minister of Health / ministre de la Santé
<b>Witmer, Hon / L'hon Elizabeth</b>	Waterloo North / -Nord	PC	Minister of Labour / ministre du Travail
Wood, Bob	London South / -Sud	PC	parliamentary assistant to the Chair of the Management Board of Cabinet / adjoint parlementaire du président du Conseil de gestion
Wood, Len	Cochrane North / -Nord	ND	
Young, Terence H.	Halton Centre / -Centre	PC	parliamentary assistant (colleges and universities) to the Minister of Education and Training / adjoint parlementaire (secteur collèges et universités) du ministre de l'Éducation et de la Formation

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Ces listes figurent dans les premier et dernier numéros de chaque session et du premier lundi de chaque mois. Par contre, une liste des circonscriptions paraît si l'espace est disponible.









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## Legislative Assembly of Ontario

First Session, 36th Parliament

## Assemblée législative de l'Ontario

Première session, 36<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Tuesday 5 December 1995

Mardi 5 décembre 1995



Speaker  
Honourable Allan K. McLean

Président  
L'honorable Allan K. McLean

Clerk  
Claude L. DesRosiers

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# LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 5 December 1995

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 5 décembre 1995

*The House met at 1331.*

*Prayers.*

## MEMBERS' STATEMENTS

### PROJET DE LOI OMNIBUS

**M. Bernard Grandmaître (Ottawa Est) :** Dans la presse francophone on parle de loi «fourre-tout» pour décrire la dernière loi omnibus du gouvernement conservateur. Je ne veux pas me lancer dans des jeux de mots de mauvais goût, mais il faut que j'admette qu'il est difficile de trouver un meilleur qualificatif pour le projet de loi 26.

C'est un fourre-tout parce que le gouvernement s'est senti obligé d'intégrer les trois quarts de sa révolution de l'inconscience en un seul projet de loi. Jamais dans l'histoire de l'Ontario on n'a vu un projet de loi avoir des effets aussi profonds dans autant de domaines aussi différents. La santé, l'éducation, le monde du travail, les municipalités et bien d'autres secteurs importants sont touchés, et souvent très sérieusement.

La population francophone de l'Ontario, quant à elle, a déjà compris qu'elle allait faire partie des grandes victimes de la révolution de M. Harris et le projet de loi 26 le confirme.

Comment la population en général va-t-elle pouvoir évaluer le projet de loi fourre-tout du gouvernement entre maintenant et Noël ? Si personne ne peut sérieusement examiner votre projet de loi et en débattre, comment l'Assemblée législative peut-elle garantir que ce projet de loi ne contient pas de mesures idiotes qui vont causer de graves dommages en Ontario ?

Le gouvernement présentait en cachette un projet de loi épais comme un annuaire du téléphone dans lequel on se donne des pouvoirs d'exception. De plus, le gouvernement rompt sa promesse de ne pas toucher à la santé et à l'éducation. C'est un projet de loi qui va avoir de lourdes conséquences, mais le gouvernement ne donne pas à l'Assemblée législative—

**The Speaker (Hon Allan K. McLean) :** The member's time has expired.

### ARTS AND CULTURAL FUNDING

**Mr Rosario Marchese (Fort York) :** Yesterday, artists and cultural workers held a very successful news conference in the media studio at Queen's Park. They came together to present a united voice against the cuts of the Harris government to arts and culture, cuts that will erode the economic, social and cultural fabric of our province. They came from all disciplines: dancers, actors, musicians and filmmakers.

Artists like Gordon Pinsent and R.H. Thomson, venerated artists of Canadian stage and screen and cultural ambassadors internationally, spoke eloquently and

articulately to the economic, social and cultural benefits of arts and culture to the province of Ontario.

Lorraine Segato asked a simple question: If it's not broken, if it's working and working well, why fix it? Why cut it?

Younger artists like Don McKellar, the star of Atom Egoyan's films and Steven Page of the Barenaked Ladies were passionate and intelligent as they addressed the hundreds of millions of dollars the arts generate for Ontario and spoke of artists as workers and as a community.

Sandi Ross, president of ACTRA, presented the spectre of American cities such as Detroit and Minneapolis that handed down similar cuts to the arts and then evolved into urban ghost towns.

R.H. Thompson's words tell it best: "Tell us, please, Mr Harris, your vision beyond the cuts. Articulate for us, please, why the promised tax cuts for the well-to-do will really work, and not just in ideology but in reality. This very strategy failed recently in the US. For you to say it was a 'promise made' is not enough. Articulate for us your vision of our culture and our arts community."

EDWARD PATRICK

**Mr Trevor Pettit (Hamilton Mountain) :** I'd like to take this opportunity in the House today to recognize the dedicated work of the folks whose job it is to record what goes on in this House while it is in session. I'm referring of course to the people responsible for putting Hansard together.

As we all know, on both sides of this House, Hansard is an essential tool in helping us to do our jobs. It serves as a reminder to those of us who may have missed the live version of who said what, and by so doing also serves those members who may have forgotten their own words. But we know that this is not a common occurrence in the House.

I would like to give special recognition today to one individual who is celebrating 25 years with Hansard this month and who is with us in the Speaker's gallery today. Mr Edward Patrick joined Hansard in 1970 after many years as a newspaperman in Glasgow and London. In the last 25 years with Hansard, he has served under six premiers, eight Speakers and five lieutenant governors. During this time, one can say with certainty that Mr Patrick has heard it all.

I would like to convey, though, that Mr Patrick is on record as saying, and I quote: "I have no intention of writing a book about my experiences at Queen's Park, for although there is a book inside every newspaperman... that's precisely where it should stay."

I would ask all members to join me in thanking Mr Patrick and all the people at Hansard for the very important work they do.



## ROBERTSON DAVIES

**Ms Annamarie Castrilli (Downsview):** Today is a sad day for Canada. Today we bury Robertson Davies. If ever there was someone who embodied the Canadian identity it was Robertson Davies, a magnificent writer, a dedicated nationalist, a Canadian hero.

He was a newspaperman, an actor, a playwright and a novelist. His was an uncommon talent, which was evidenced to the end. His last novel, *The Cunning Man*, was published just last year when he was but 81 years old.

His biographer, Judith Skelton, called him "a man of myth," and he was. With his flowing beard and his chiselled face, he was likened to Jehovah. His speech was authoritative, his writings wise.

Dr Davies was a giant not only in Toronto at Massey College, whose master he was for a number of years, but in the world. His life and wondrous writings had a profound effect on the 20th century. His writings have illuminated generations of young people. He enriched all of our lives with his prodigious imagination. His patriotism was a beacon through very difficult times. He made us feel good to be Canadians.

Our hearts are today with his family. To them we say that the world is indebted to Robertson Davies more than words can ever say.

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## UNEMPLOYMENT

**Mrs Marion Boyd (London Centre):** On Friday, December 1, in London, a group of citizens gathered together, all of whom are involved one way or another in the education, training and placement of those who are seeking work in our community.

These members of our community talked about the concerns they had, not only in the face of what was to be announced last Friday from the federal government's point of view in terms of the unemployment insurance changes, but particularly with respect to the financial statement that was delivered in this House last Wednesday. These members of the community work with people of all ages and all walks of life, many of whom have lost their jobs through no fault of their own during the recession, many of whom have never been able to work into the full workplace because of the barriers that face them.

This is a group of people who've dedicated their lives to combating unemployment and they were discussing their disgust and their concern at the lack of job creation opportunities offered by this government, despite the strong promises that were there in the Common Sense Revolution for 725,000 jobs.

This is a group of people that will continue to work in our community to counter the effects of the disastrous budget this government has presented and to continue to try and create work in spite of this government.

## MINISTER OF HEALTH

**Mr John O'Toole (Durham East):** I rise to call the attention of all members in the House to the support of our Health minister that has come from a journalist who is usually not known for Tory accolades.

Thomas Walkom of the *Toronto Star*, in his November 28 article, commends the Honourable Jim Wilson for staking out a position on health care that makes considerable sense. He applauds the minister for his work to protect Ontario's health care system, while taking all the necessary steps needed to ensure its financial viability.

Interestingly enough, Walkom, who has an intimate knowledge of the NDP, cites how Bob Rae, while in office as Premier, cut \$20 million worth of health services from a list of services covered by medicare. He also showed how the NDP broke the Canada Health Act by eliminating out-of-country coverage. To his credit, the minister moved quickly to reinstate that out-of-country coverage, which mostly affected seniors.

The Honourable Jim Wilson, Walkom states, has gone on to revoke the stranglehold on Ontario's health care system put on by the NDP in their 1991 framework agreement with doctors. He has also freed taxpayers from spending \$40 million annually on doctors' medical malpractice insurance, at a time when the fund has a \$1-billion surplus. How's that for common sense?

*Interruption.*

**The Speaker (Hon Allan K. McLean):** Order. I must remind all members of the gallery that there shall be no clapping or demonstrations of any sort. Thank you.

## BERNARDO HOUSE

**Mr James J. Bradley (St Catharines):** A very significant event is taking place in St Catharines today in the form of the demolition of the infamous house at 57 Bayview Drive.

For the people of St Catharines, and in particular the families of the victims and the people who reside in the immediate neighbourhood of the structure which holds so many horrific memories for the residents of our community, the destruction and removal of the building from the landscape of Port Dalhousie will be most welcome.

Its continued existence has been a constant reminder of the terrible crimes that were committed within its walls and it has been a constant target of vandalism and morbid curiosity.

While its demolition cannot erase the sad and awful memories from our minds, its destruction can remove a tangible monument to terror and crime that happened in our city.

I would like to express my appreciation to the St Catharines city council for its endorsement of my request for the demolition of the Bernardo home and to the Attorney General for his prompt and positive response to my recommendation.

Everyone in our community is grateful, as well, to those who are giving freely of their time and resources to complete the project in an expeditious and efficient manner and at no cost to the taxpayers of this province.

## RENT REGULATION

**Ms Marilyn Churley (Riverdale):** Last evening over 100 people gathered in my riding of Riverdale and asked me to deliver a message to the Premier: Don't even think about scrapping rent control. Like so many Ontarians I talk to these days, they're frustrated that no one in this

government seems to want to listen and consult about major government changes such as ending rent control.

It's mighty curious that during the election some Tory candidates, including the Minister of Housing, talked openly about their support for tenant protection. Why? Because openly supporting the end of rent control, especially in Metro Toronto, would be political suicide. Even those Tory ideologues who support throwing everything to the free market system know that to spout off about ending rent control would have meant a quick and decisive defeat on election night.

This is another example of this government saying one thing during the election to get votes and then turning around and doing something different. You really do have to ask what is going on here.

Despite what some Tory members told this House during a debate on this issue last week, rent control works. Tenants know that it works and I dare say that landlords know that it works for tenants or they wouldn't be lobbying so furiously to have it scrapped.

#### MARLAND YOUTH COUNCIL

**Mrs Margaret Marland (Mississauga South):** Today I rise in the House to welcome the members of the Marland Youth Council to Queen's Park. The Marland Youth Council was formed in October 1992. This non-partisan council is comprised of student representatives from the seven high schools in my riding of Mississauga South. These students have an excellent understanding of the legislative process and are well informed about current issues.

The council meets once a month to discuss provincial legislation or policy changes and the council members take time between classes to discuss these issues with their school peers. Consequently, the Marland Youth Council has been of great assistance to me in representing the concerns and interests of young people in my riding.

I would like to extend my appreciation and gratitude to all the members of the council who have been so forthright in their discussions with me. Their frank and open advice has proven to be very meaningful on a variety of issues affecting Ontarians today.

I would ask all members of the Legislative Assembly to join me in welcoming the following students: Tim Gallinger, Patrick Roane, Allison Phinney, Sayone Arasratnam, Christopher Allsop, Sarah Vella, Darka Hopej, Monica Awasty and Alexandra Malik.

#### VISITORS

**The Speaker (Hon Allan K. McLean):** We have a former member of the crown in the west gallery, the Honourable Hugh O'Neil from the riding of Quinte, and his wife Donna.

#### PARLIAMENTARY PROCEDURE

**The Speaker (Hon Allan K. McLean):** Last Thursday, several members rose on questions of privilege and questions of order relating to Bill 26, An Act to achieve Fiscal Savings and to promote Economic Prosperity through Public Sector Restructuring, Streamlining and Efficiency and to implement other aspects of the Government's Economic Agenda, and the circumstances surrounding its introduction for first reading on the previous day. The following members made submissions on that

occasion: the leader of the official opposition (Mrs McLeod), the member for Windsor-Riverside (Mr Cooke), the member for Renfrew North (Mr Conway), the member for York South (Mr Rae), the member for St Catharines (Mr Bradley), the member for Beaches-Woodbine (Ms Lankin), and the government House leader (Mr Eves).

The facts giving rise to their submissions are as follows. On Tuesday, November 28, the House passed the following order:

"That, on Wednesday, November 29th the House shall recess immediately after routine proceedings; and, that the House shall reconvene at 4 pm for an economic statement by the Minister of Finance; and, that the House shall adjourn immediately following the Minister of Finance's statement that day; and, that on Thursday, November 30th and Monday, December 4th under orders of the day, the House shall consider replies to the economic statement."

#### 1350

On the Wednesday indicated in this order—a day on which there was a media lockup until 4 o'clock with respect to the economic statement mentioned in the order—the government introduced Bill 26 for first reading in the course of the item of routine proceedings known as introduction of bills. On division, the House gave first reading to the bill, after which the House recessed until 4 o'clock pursuant to the previous day's order. When the House resumed meeting at 4 o'clock, the Minister of Finance (Mr Eves) read the economic statement, after which the House adjourned pursuant to the same order.

That is what transpired from a procedural point of view. I have carefully reviewed the arguments and concerns raised. These include: the ability of members to raise points of order or privilege at certain proceedings of this House, the introduction of Bill 26 without notice, the fact that some members were in the financial statement lockup at the time of introduction and at the start of the presentation of the statement, the contents of the compendium on Bill 26 and the admissibility of Bill 26 because of its omnibus nature. I want to deal with each of these points, and I ask the indulgence of the House as the number of issues raised and the importance of them have made for a lengthy ruling.

First, let me deal with the right of members to raise points of order and privilege and in particular the fact that I declined to hear points of order at the time Bill 26 was introduced and again following the financial statement. Let me begin by referring to the 21st edition of Erskine May, at page 396, where it states, and I quote:

"Speakers have exercised discretion over the taking of points of order and have indicated at what point in the proceedings they are prepared to hear them."

In this House, we have precedents which confirm the Speaker's discretion in this regard, and specifically discretion to decline to hear a point of order during certain proceedings. I want to advise all members that it is not the intention of the Chair to prevent any member from raising points of order or privilege as long as these



matters are raised at the proper time in the proceedings. At first reading of a bill, the Speaker is required to put the question without amendment or debate. That is what I did on Wednesday last. Also that day, the House was operating under a motion which stated that the House would recess immediately following routine proceedings until 4 pm that same day to hear the economic statement of the Minister of Finance. This was done. The motion went on to state that the House was to adjourn immediately following the economic statement until the next day. This was done. I would submit to you that for your Speaker to have proceeded otherwise would have been out of order.

I would also like to take this opportunity to explain the points of privilege that differ from points of order both in form and process. It is not necessary to bring a matter of privilege to the attention of the Speaker immediately upon its occurrence or to have it decided upon immediately. The member for Windsor-Riverside (Mr Cooke) referred to standing order 21(b) which provides that "whenever a matter of privilege arises, it shall be taken into consideration immediately." In response, I would explain that standing order 21(b) refers to immediate consideration once a *prima facie* case of privilege has been found by the Speaker. At that point, a motion may be moved and would have to be taken into consideration immediately.

I will now deal with the issues raised concerning the introduction of Bill 26 without notice and prior to the presentation of the related financial statement. While it is true that there are several parliamentary jurisdictions, most notably the House of Commons, where notice is required before bills may be introduced, we have no such requirement in this House. Quite the contrary, standing order 38(a) says:

"Every bill shall be introduced upon a motion for leave for introduction and first reading, specifying the title of the bill, no notice being required."

Likewise, there is nothing in our rules that compels a minister to deliver a statement in advance of introducing a bill. Any agreement members have to the contrary is not one to which the Speaker is a party and therefore cannot be taken into consideration on this matter. There have been instances of legislation, even budget legislation, introduced without prior statements having been presented. On April 25, 1988, for example, the budget bills were introduced before the budget speech was given.

On the point raised that the compendium of background information did not contain all of the relevant material required, I would refer member to the 21st edition of *Erskine May* at page 383 where it states in part:

"It is the responsibility of the government and not of the Chair to see that documents which may be relevant to debates are laid before the House and are available to members. It is not for the Chair to decide what documents are relevant. Only when the Speaker himself has control of a document can he be involved in making it available to the House or a committee."

In 1979, Speaker Stokes made a ruling on this very matter. In it he stated and I quote:

"...I fail to see how I can be expected to know what was, or what was not, the background information considered by a minister and his staff when preparing legislation. The minister tables what he considers to be the compendium required by the standing order, and there is no way that I can look behind his decision."

Subsequent rulings on this question have been consistent with Speaker Stokes.

As to the concerns raised with respect to the fact that many members were in the financial statement lockup and were therefore unable to attend the House for introduction of bills and subsequently for the beginning of the financial statement, I must point out to the members who were involved that the rules and guidelines for this event are the prerogative of the government and any person who enters the lockup must be governed by those rules. Members are not, nor should they be, forced to enter a lockup. It is not a question of privilege since I must assume that the members agreed to attend the lockup even though they were aware that it would cover at least a portion of the time that the House would be sitting.

However, I do have grave concerns if the allegations that some members were allowed to leave the lockup before others are correct, though I am not in a position to determine if they are. If one set of rules governed the caucus of the government and another set of rules governed the caucus of the two opposition parties with respect to the lockup, I would find that to be offensive. All members of this House should be treated equally in this regard, and no one group should have an advantage that the other group does not enjoy.

Finally, I will turn to the arguments put forward last Thursday respecting the omnibus nature of Bill 26 and a request on the part of some that I intervene either by ruling Bill 26 out of order or by splitting it into several parts. It is this issue which has caused me the greatest concern.

In addition to reviewing the argument set out by the members of this House, I have examined our precedents with respect to omnibus legislation and I have sought information on the experiences of other jurisdictions. I have also reviewed the relevant parliamentary authorities. I will say at the outset that, while I am sympathetic to the complaints many members have outlined over this type of legislation, my rôle is limited to consideration of the procedural issues before us.

#### 1400

In reviewing the precedents of this House, it is clear that we have dealt with omnibus legislation on several occasions. Often, the introduction of such legislation gave rise to points of order on its admissibility. The arguments put forward on those occasions were not unlike those we heard here last Thursday. In each case, the Speaker ruled that the legislation was in order and that it was not within the Speaker's authority to find otherwise. On at least one occasion, presumably after some discussion among the House leaders, legislation was in fact split. This split, however, was effected by agreement of the House and not by a decision of the Speaker. This was referred to in a

ruling by the Deputy Speaker on October 31, 1994, when he said and I quote:

"...in the past when omnibus legislation has been split, it always has been as a result of an agreement between the House leaders."

The experiences of the House of Commons in Ottawa seem to be the most helpful to the consideration of the orderliness of omnibus legislation. In a 1971 ruling, cited by several members of this House in the course of their arguments on this matter, Speaker Lamoureux reflected that there may be a point at which an omnibus bill might go too far and not be accepted from a procedural standpoint. The difficulty which Speaker Lamoureux had in 1971 and which Speakers since that time have had is that there are no clear procedural guidelines which define what is or is not acceptable.

Citation 626 of Beauchesne referring to the relevancy of the contents of a bill reads in part:

"Although there is no specific set of rules or guidelines governing the content of a bill, there should be a theme of relevancy amongst the contents of a bill. They must be relevant to and subject to the umbrella which is raised by the terminology of the long title of the bill."

It is clear that the long title of a bill could be broad enough to encompass a wide variety of subjects and statutes as is the case at hand, thus allowing wide parameters within the bill itself.

In her 1982 ruling, Speaker Sauvé suggested that:

"It may be that the House should accept rules or guidelines as to the form and content of omnibus bills, but in that case the House, and not the Speaker, must make those rules."

With Speaker Sauvé I concur: It is for the House and not the Speaker to develop clear and definitive guidelines respecting omnibus legislation. Indeed, even Speaker Lamoureux noted that while he feared that the bill before him had gone too far, the government had not contravened any rule or practice and he had no choice but to allow it. To date, as far as I am aware, no Speaker in Canada has found an alternative.

Bill 26 amends several existing acts. It seeks to enact, by my count, three new statutes. There is no doubt that this is a complex and very broad piece of legislation. However, omnibus legislation is accepted in many parliamentary jurisdictions in this country and it is something to which this assembly is no stranger. I share the concerns raised by many members here and caution that the use of omnibus legislation should be considered carefully and exercised judiciously. I also urge this House to break ground in this area and develop guidelines and policy as to the acceptable form and content of omnibus legislation.

At present there are no rules or precedents in this House or in other jurisdictions that give me the authority to rule Bill 26 out of order or to divide it. I can find no major difference between Bill 26 and omnibus bills that have confronted previous Speakers of the House of Commons or this place and although the House is presently faced with a serious disagreement, I must be guided by what I perceive was the wise direction in my

learned predecessors' rulings and encourage the parties to meet and find solutions to the problem of the omnibus nature of this bill.

I want to thank all members who contributed to the discussions of these matters. The arguments put forward were insightful and of a great deal of assistance to me. I also thank all members for their attention during this extended ruling.

**Mr Bob Rae (York South):** A point of order, Mr Speaker, on the nature of your ruling.

**The Speaker:** There is no debate on the Speaker's ruling.

**Mr Rae:** I'm not seeking to debate anything, just seeking to advise you, sir, that we find your ruling so problematic that we will not be participating in question period this afternoon.

**The Speaker:** The leader of the official opposition on a point of order.

**Mrs Lyn McLeod (Leader of the Opposition):** First of all, Mr Speaker, I believe it is in order for me to ask for a specific clarification of one aspect of your ruling. I would like to do that first, and then—Mr Speaker, I believe that's clearly set out in the rules of order.

**The Speaker:** There's no debate on a Speaker's ruling, and there are no points of order.

**Mrs McLeod:** Mr Speaker, this is not a debate. It says very clearly in the rules of order and in the directions to the Speaker that simply an explanation of one part of your ruling—and I ask it in all seriousness. I'm not attempting to be disruptive.

You, as I heard it—and I ask whether I heard it correctly—indicated that you would be, I think your words were, "grievously concerned" if in fact members of the assembly had been treated in different ways and if some members of the government caucus had been allowed out of a lockup in order to participate in a vote while others weren't. I believe you said that it would not be possible for you to determine whether that had occurred. Did I hear your ruling correctly?

Mr Speaker, may I just then advise you that as we go into a lockup, each member must sign in and must sign the time at which they entered the lockup. I believe it would be easily possible for you to determine which members of the government caucus had signed into the lockup and at what time, and if any members of the government caucus were present in the House for that vote at that specific time, at a time after they had signed into the lockup and before 4 o'clock, which clearly it would have to be, then you would realize that they had been allowed to leave a lockup when we had not.

I ask for that as an explanation, and then I have three separate, new points of order which I would ask you to hear.

**The Speaker:** I've already asked for an investigation into that, so I will be reporting back.

**Mrs McLeod:** Thank you, Mr Speaker. In that case, I will move to the points of order. As I indicated, I have three points of order which I believe to be new points of order, although related to the same matter. I will place



them, if you like, sequentially and then ask you to rule on whether you believe them to be valid points of order to be taken into consideration.

The first point of order—Mr Speaker, I hope I didn't see you shaking your head before I place the point of order. You are prepared to hear my new points of order? Thank you.

The first point of order is my question of whether or not you would define the bill that is before this House as indeed a budget bill, and if so, whether you would rule on whether it is in order to present a budget bill when in fact there is no budget. I consider this to be a new point of order and one which is germane to the consideration of this bill.

I suggest to you that there is considerable evidence in the government's presentation and in the materials which they tabled. Quite clearly, I accept your judgement today that it is not within your purview to determine what materials the government provides, so I deal only with the material that has actually been given to us by the government. I think there is considerable evidence there that what they have presented to us under the title of an omnibus bill is indeed an omnibus budget bill.

The first point of evidence is that the day the bill was presented, at a time when, as you've recognized, I was in a lockup, our Finance critic was in a lockup, along with other members of our caucus, where we had to be and particularly where our Finance critic had to be in order to receive the financial statement information, our House leader was in the House and became aware that the bill was to be introduced but was unable to obtain a copy of the bill at that time, even though it was being introduced, on the grounds that it was to go to the critic and exclusively to the critic. That meant our Finance critic, who was of course in the lockup at the time.

I suggest to you that if a bill cannot be made available to the House leader because the government is directing that bill to the appropriate critic, and the appropriate critic is indeed the Finance critic, then the bill must perforce be a finance bill.

The bill contains sweeping measures which seem to us to be relatively unrelated, but if I can assume that, because it was to be directed to our Finance critic, it is necessarily a finance bill, I look to see what relationship these various measures could possibly have. Clearly, since many of them are not financial measures, the only thread can be that they are measures that are seen to be needed by the government in order to back up the government cuts.

1410

I think you will agree that normally when a budget is presented, the government follows that budget with the presentation of a bill, usually an omnibus bill, which contains a number of measures needed by the government to implement the provisions of their budget. We all accept that as necessary proceedings of this assembly.

I submit to you, then, that the government has presented to us a budget bill needed by the government in order to back up their cuts and has presented what is a

budget bill in the absence of a budget. This is the first point of order on which I would ask you to rule.

If I may proceed, Mr Speaker, assuming you've heard that point of order, my second point of order is that if you consider my first point of order and determine that this is in fact a budget bill, and if you then determine that it is in order to present a budget bill when there is no budget, I would ask you further to rule on whether each section of this bill is in order as part of a budget bill. Again let me suggest some evidence that I would ask you to consider in making that ruling.

The first, if I look at one measure before us in this omnibus bill, is that the government would be given the power to impose new user fees. Clearly, although I personally feel this is a horrendous step for the government to take, a horrendous measure and a horrendous breach of faith on the part of this government, I too would consider that to be a budget bill measure necessary to bring in the new revenues which this government seeks to get from seniors and the disabled and the poorest of our society—a financial measure, and therefore seen by this government to be appropriately part of a budget bill.

But I would ask you to consider whether the power to annex and to amalgamate municipal jurisdictions, with no legislation, can even remotely be considered a budgetary measure and therefore part of a budget bill. There is no way that such a measure can be considered to have a direct budgetary effect on the government.

As far as I know, there are no proposals that have been made public, let alone come before this House, specific proposals in which the government intends to annex or to amalgamate municipal jurisdictions, so I can't see any immediate financial impact upon the budget of the government. In any event, if an amalgamation or an annexation takes place, it is only going to have an immediate effect on the budgets of those particular municipal jurisdictions.

It would seem to me that this is not a government budgetary measure. At best, it is a buffer to try to cover the municipal cuts that were included in the government's expenditure statement, and to give municipalities enormous powers such that big guys can swallow up little guys without its even being a matter for public debate in this Legislature. I find it difficult to imagine that that could be ruled as being a legitimate part of a budget bill.

I would draw your attention to amendments to the Corporations Tax Act and say that if this indeed is a budget bill and if it is in order as a budget bill even in the absence of a budget, then amendments to the Corporations Tax Act are in fact a budgetary measure and affect the revenues of the government, and I accept that.

There is a section of this act that is permissive to allow the government to introduce tolls. I think that probably would be considered a budgetary measure, since again it is a way of getting revenue which, if the government ever did present a budget, would presumably be part of what they would show as being their revenue and part of their budgetary explanation—all of which we lack because we don't have a budget. But a budgetary measure it would be if you rule that their bill is in order as a budget bill.

I would ask you to look at schedule F of the omnibus bill, which gives the government unilateral power to close hospitals, and suggest again that this cannot in any way, shape or form be considered a budgetary measure. It has no direct impact on the budget of this government, if and when the government ever chooses to present us with a budget.

This unilateral power to close hospitals that is being given to the minister under this bill is only a way of the government ultimately finding the savings it needs to find to make up for the \$1.3-billion cut to hospitals. It is a way in which the Premier and the Minister of Health can some day make honest men of themselves, but it is not a budgetary measure with direct budgetary impact.

**The Speaker:** Could you wrap up your point of order, please.

**Mrs McLeod:** Mr Speaker, if I may, there is one last point I would ask you to consider in terms of this being a budgetary measure in a budget bill, and that is the inclusion of amendments to the Freedom of Information and Protection of Privacy Act. I recognize that there are two components to that particular schedule, which is schedule K.

One component is that there will be an increase in fees for access to information. I appreciate the fact that this again could be seen to be a revenue-creating measure or at least a cost-reduction measure, one or the other, and would be appropriate as a budgetary measure. But I do ask you to rule, Mr Speaker, on whether there is any way that limiting access to information, as the amendments to the freedom of information act do, could be even remotely considered to be a budget measure. That is the second point of order which I would ask you to consider.

As I indicated, I have a third point of order, and it is directly relevant to the freedom of information point, which I would further ask you to consider now. If I may, because I believe that this third point of order represents a rather direct challenge to you and to your understanding of the role of the Speaker and of your responsibilities as Speaker, I do want to preface my point of order, if it is not presumptuous, Mr Speaker—and I'm attempting to be on my very best behaviour today, so I would not wish to be presumptuous in raising with you what I think is considered to be essentially an oath of office that you take as the Speaker of the House.

That oath of office, and I won't read the whole thing, says, "If, in the performance of those duties, I should at any time fall into error"—Mr Speaker, I'm not challenging you with error at this point—"I pray that the fault may be imputed to me and not to the assembly whose servant I am and who, through me, the better to enable them to discharge their duty to the Queen and country, hereby claim all their undoubted rights and privileges"—and this is the point I would emphasize—"especially that they may have freedom of speech in their debates...."

I believe that oath of office charges you with the responsibility to uphold both the principles and the practices of parliamentary democracy. I recognize this as an awesome responsibility which falls to you and I also appreciate the fact that that responsibility and your ability

within the scope of your role as Speaker to discharge it is being tested today as perhaps it has never been tested before. May I say that I understand that and, in that context, ask you to seriously consider what is a cause of great concern certainly for members of our caucus.

I believe the principles and the practices of democracy are absolutely founded on that right to debate which you are sworn to uphold in carrying out your responsibilities in this Legislature. I think you would have to agree, Mr Speaker, that the ability to ensure that we have the right to debate is founded on a recognition of the legitimacy of hearing different points of view, and that that in turn is founded on the right of individuals in free elections to choose representatives to debate on their behalf.

I think you would agree that these are the most fundamental principles of democracy. I believe, and I think you would believe, that the full exercise of that parliamentary right, the exercise of democracy through elections and through parliamentary debate which you are sworn to uphold in this place, is absolutely dependent on the right to know.

I would draw your attention to the fact that in the government's omnibus bill which is before this House today, the government includes a non-monetary item, perhaps a non-budgetary measure, but includes essentially a new act which the government calls the disclosure of public information act. So the government itself recognizes the importance of public disclosure.

Yet I think it is germane to the point of order and to the discharge of your responsibilities to ensure the freedom to debate in this place that there is no opportunity in this bill for the full disclosure of information: not, certainly, to members of the public, but even more so not to the members of the Legislature who are charged this very afternoon with the responsibility of carrying out a debate on behalf of the public of this province.

Members of our caucus sat yesterday afternoon with some 40 bureaucrats who were there to attempt to take us through the bill that has been presented for our consideration this afternoon. They spent three full hours with those 40 bureaucrats. They only got halfway through their initial questions on the sections of the bill, and yet that bill is to be called today and in some manner debated.

1420

There has been absolutely no opportunity for the public to know what is in this bill, and just earlier today I met, as did other members, with a group of people, a coalition of citizens representing some 35 different groups who came together literally in 24 hours in order to express their horror that this kind of a bill could be presented, could be debated without any public hearings at all.

I suggest that we have seen this kind of an approach from this government before, that we should be concerned when the Legislature was not called back until September 26, that we should be concerned when public hearings on school closures were cancelled, that we should be concerned when the labour legislation was rammed through without any public hearings, because it makes so clear that the focus of this government is to ensure that there will be no public debate, that they will not hear concerns, that they want to impose dictatorial powers with no opposition at all. It is those kind of



powers that they would be given in Bill 26, if indeed it proceeds to passage.

If this bill, regardless of the impact of the bill and the dictatorial powers it would impose and the effect that that would have on the exercise of democracy, if this bill can proceed even without debate, without public hearings, without our awareness of all the impacts of this bill, let alone any public awareness of the impacts of this bill, I suggest to you that it is a grave violation of both the principles and practices of parliamentary democracy, that it is a grave infringement on our ability and our right and responsibility to debate matters of public concern.

I suggest that you take into consideration as a point of order that part of your responsibility, as Speaker of this House, and I stress, because I believe it to be true, as a non-partisan guardian of the principles and practices of parliamentary democracy, is to ensure that the public's right to know is protected. I ask you to rule on whether it is your responsibility to ensure that there is a reasonable opportunity for debate and a reasonable effort to create public awareness of the matter at hand for debate.

If you rule that that is not your responsibility, that your role is somehow only to keep order in this House, I suggest to you that the responsibility in your oath of office demands more of you than that, because if the Speaker of this House is subject without condition, without any condition at all, to the will of the government, albeit that the government has a majority, if you as Speaker, responsible for ensuring the exercise of parliamentary democracy in this place, have no prerogatives at all, and according to the ruling you've read today all prerogatives are the government's, then I do not believe that it is possible for us to exercise, in a fair and reasonable way, the democratic principles in this Legislature.

As such, Mr Speaker, I ask you to take into serious consideration all three points of order I raise with you today.

**Mr Sean G. Conway (Renfrew North):** On a point of privilege, Mr Speaker, and mine is a point of privilege: I do ask your forbearance and that of the House because I think we are at a critical point in this debate and I would hope that honourable members, well-intentioned, can, through reasonable means, resolve this.

Mr Speaker, on privilege, let me say again that in his citation Beauchesne indicates that there are certain fundamentals that govern the way in which the British parliamentary system is intended to work. Let me just quote very briefly from that first citation in Beauchesne.

"To protect a minority and restrain the improvidence or tyranny of a majority; to secure the transaction of public business in an orderly manner; to enable every member to express opinions within limits necessary to preserve decorum and prevent an unnecessary waste of time; to give abundant opportunity for the consideration of every measure, and to prevent any legislative action being taken upon sudden impulse."

That, it seems to me, is an issue that strikes at the core of the way in which members on all sides discharge their responsibilities.

You, sir, in your ruling this afternoon—and I do recognize the difficulty in which you and any Speaker

would find themselves, particularly if you were to take a narrow, constructionist view of your responsibilities—you cited, for example, Madam Sauvé's ruling in 1982. I want to raise that today because I mentioned it in passing the other day. That was the debate in the Parliament of Canada, in late February and early March of 1982, that led to one of the most notorious outbursts in the history of Canadian parliamentary democracy.

Madam Speaker Sauvé was making her—

**The Speaker:** Order, please. The member is referring to the statement that I made today with regard to Madam Sauvé. I made that statement. There's no debate on the statement that I made.

**Mr Conway:** I realize that, but my point is privilege and I simply make reference to that, because I want everyone here to know that what the opposition did in Ottawa on that occasion is they couldn't find redress through regular channels.

The fact that it was a Conservative opposition is for me irrelevant. It was an opposition that felt passionately what the then government was doing was completely unacceptable. They could find no redress in the rules, so what did they do? They took extraordinary measures, extreme measures. Who will forget the sight of outraged members at the Speaker's feet, bells ringing for 18 or 19 days? I, for one, do not want to be driven to that and I want to say again that, for me, this is a matter of privilege.

I think, sir, that you have a responsibility, quite apart from the ruling you have made, to ensure that the fundamentals of the British parliamentary system are in fact adhered to. Mr Speaker Lamoureux said clearly that there is a point where we reach extreme measures that are not going to serve any institution, most especially the parliamentary institution.

It is right, I think, for people to observe that those of us who are elected have a responsibility to resolve this in a way that does not put the Chair in an untenable position. As the last moments of opportunity now present themselves, I say, as a senior member of this House, as a former government House leader, as a minister who has been charged with some very difficult legislation—I'll cite but one example—that I have real sympathy for the position in which the government finds itself. I do not minimize the fiscal pressures with which you are confronted.

But don't think for a moment that day 10 or 11 years ago, when I was handed that wonderful school bill, that I didn't dream about a Bill 26, about marching in and solving a lot of my problems by saying, "The end will justify the means." But to have done that, however tempting, would have been an affront to the democratic principles that have inspired this place for 135 years.

You know, 30 years ago, Mr Robarts, as Premier of the province, was confronted with a situation that was, as I said the other day, notorious. What was it? On privilege, Mr Speaker, I remind members of this House that the then Attorney General, quite a fine fellow from Chesterville, Fred Cass, was so concerned about a report he had received about the nature and extent of organized

crime in Ontario, he brought forward Bill 99, the famous police bill. There was no question that the Attorney General of the day had in mind an end that was very, very clear in his own way, and that is rooting out this crime that seemed to be everywhere.

So the Attorney General brought forth a bill. As it turned out, it was a bill that had not been canvassed in cabinet to any great extent, not brought through the government caucus—all of which was admitted rather quickly—and Bill 99 was presented. It had as its central provision that, in the interest of dealing with the organized criminals who were causing havoc in Ontario, Her Majesty, in right of the government of Ontario, would have the power, through the police commission, to summon anyone suspected of misconduct to a private hearing, without a lawyer, and should that citizen not oblige by telling what he or she knew, that person could be jailed without notice. Now, clearly, that was an extreme measure.

1430

What did Mr Roberts do when the matter hit the fan, as we say in the Ottawa Valley? He said, "This bill is a problem." Interestingly, he referred that bill out after first reading to a committee of the Legislature where it sat unloved, unnurtured and unprotected, and where it died the ignominious death it ought to have died.

I say this this afternoon particularly to the government House leader but to all honourable members. By any measure, Bill 26—

**Mr Bert Johnson (Perth):** What is your concern?

**Mr Conway:** The member for Perth asks, what is my concern. I say, as a senior member of this House—

**Mr James J. Bradley (St Catharines):** He's supposed to be neutral, isn't he?

**Mrs McLeod:** The Deputy Speaker should be asked to be quiet in a debate.

**Mr Bradley:** You're not just a Tory flunkey now. You're a Deputy Speaker.

*Interjections.*

**The Speaker:** Order, order.

**Mr Conway:** Mr Speaker, I will not be long. By any measure, Bill 26 is an exceptional and an extraordinary piece of legislation. I don't think there is any student of Ontario politics who would quarrel with that, just as I do not quarrel with the right of a government under certain reasonable circumstances to bring forward omnibus bills. I completely agree with the government House leader that there is precedent for omnibus bills. Where my fundamental difference of opinion is, is that there has never been a bill like Bill 26.

That does not mean that I want to deny this government or any government the right to bring forward an array of measures of this kind. I would submit that my privileges or the privileges of any member will be abridged if we are forced to deal in one massive bill with the sweeping array of municipal reform and health and freedom of information and other measures that are contained within Bill 26. But it's more than that, I say to the Minister of Citizenship.

To bring forward a bill of this magnitude, introduced on November 29, 1995, and to say that without any delay and without any public hearings it shall be passed as one massive undertaking within five to 10 or 12 days is to add insult to injury.

I know, sir, that you are in a difficult situation, and I don't want to be part of a House that puts you or anyone in that kind of a position, but I say as I resume my seat that we have a little bit of time left before self-respecting honourable members will have to consider extraordinary measures to respond to an extraordinary bill.

**Interjection:** Is that a threat?

**Mr Conway:** Is it a threat? I hope not, I say to—

**Hon Charles Harnick (Attorney General, minister responsible for native affairs):** It's an ultimatum.

**Mr Conway:** Well, it's not an ultimatum, but I ask, Mr Speaker, that if we're going to do business in this House, and the government House leader, who's been here for 15 years, would know, as the Minister of Agriculture would know, as the Minister of Intergovernmental Affairs would know—I don't expect a lot of new members to perhaps be immediately attuned to some of these niceties, because quite frankly after six months of being in the place in 1975, I wasn't either, but senior members have a responsibility, particularly to a House in which there is such a large intake of new members. We have a responsibility to provide some leadership.

I say again, I think there is a way out of this situation. I think the way is for the panel of House leaders to meet, to meet soon, to agree on a reasonable severance of the several sections and to agree to a reasonable timetable.

I've got some very real sympathy for any government House leader. You've got to get the work done, and there is a tendency in any opposition—Liberal, Tory, NDP—to want to delay to perhaps too great an extent. I understand that, but surely if we want to have the public respect what it is we are here to do, which is public business—and I know my friend from Wellington would be the first to say, both publicly and privately, "If we're going to undertake the kind of measures that this bill contains, surely, as a matter of our privileges and theirs, they and we have a right to say, 'Here's what's in this bill, and you should get a reasonable time to see the bill, to read the bill and to come to some committee and to offer an opinion.'"

So I say, Mr Speaker, that is my point of privilege, and if it is not resolved—and for this we will need the help of the government House leader and the understanding of the opposition House leaders—I think the alternatives are not going to be very attractive for any of us. There's no doubt at the end of the day who will win the confrontation, but it will be, my friends, a pyrrhic victory, because it will be won at a cost that further diminishes an institution that's already in too great a public disdain.

Someplace in this building, there is a Latin injunction that says, "Loyal in the beginning, so let us remain." That's the motto of our Ontario. I say, as a matter of privilege, let us be loyal to the parliamentary institutions that have made this the most relevant and the most acceptable form of government in the free world, and let



us find a way out of an impasse which, if not resolved, is going to make a lot of Ontario taxpayers think that perhaps there is not much left to hope for in what it is we do here.

**The Speaker:** The member for Perth, on a point of privilege.

#### MEMBER'S PRIVILEGE

**Mr Bert Johnson (Perth):** I'm what might be referred to as one of the new members in this chamber, and a few minutes ago I was shouted down by those in the front bench and those in the back bench across from me. I was referred to because I have a special place in this chamber at times.

My point of privilege is: Am I not entitled to the same privileges as the rest in this House when I'm sitting in my seat and I am dressed in my civil clothes? If I am, then I think that I shouldn't be shouted down.

**The Speaker (Hon Allan K. McLean):** Point of privilege, the member for Timiskaming.

#### PUBLIC SERVICE EMPLOYEES

**Mr David Ramsay (Timiskaming):** Mr Speaker, as you know, about two weeks ago I stood in my place to raise a point of privilege. I believe you have not reported on that, and I appreciate that, because I know it was complicated and I appreciate that you're still investigating that. I want to bring a further document to your attention that relates to that first point of privilege.

As you will remember, I stood on a point of privilege because I had a memo that had been circulated from an assistant deputy minister in Correctional Services to all the area managers and superintendents that those managers were to report on any activity that their employees embarked upon at an MPP's office. At that time, I felt that impinged upon my privilege to freely associate with my constituents.

Mr Speaker, it becomes worse than that. I have here a confidential—because it's marked "Confidential. Not to be copied or distributed." It's a guideline for ministry strike response teams and line managers. This is August, 1995, Management Board Secretariat. It's a document, *Illegal Strike Response Guide for the Ontario Public Service*. In it—it's very lengthy—it defines what an illegal strike is, what those actions could be and what to do. It also lists other potential activities in this. It talks about demonstrations during lunch and outside working hours. It talks about buttons and armbands or T-shirts.

Much of this isn't new, as has been pointed out before. Previous governments have wanted to make sure that the civil service conducts itself in a professional manner, and I can understand that.

But also on the bottom of this page—and I will later on submit this to you, Mr Speaker—it says, "Complaints to MPPs," and the sentence here goes beyond what I brought to you previously. It says that, "Although these activities may not constitute a legal/illegal strike, records should be kept, as this action may be course for discipline."

So what we have here is a document from this government, circulated to its senior managers, to say that, "You must keep a record of any complaints that employees

make to their MPPs, as this action may be course for discipline."

Mr Speaker, I think this ratchets it up to a degree that relates to many of the points of order that have been circulating in this place as of late, that this government is one of the most punitive governments we have seen, and I take this very, very seriously—whether you're a government member or an opposition member, I think all members of this House should take this very seriously—that employees of the Ontario civil service could possibly be disciplined for making a complaint to their MPP. I will leave this in your hands, Mr Speaker.

1440

**The Speaker (Hon Allan K. McLean):** Further points of privilege on the previous point of privilege.

#### PARLIAMENTARY PROCEDURE

**Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader):** I would like to respond to both the points of order raised by the leader of the official opposition and to the point of privilege raised by the member for Renfrew North.

Firstly, with respect to the points made by the leader of the official opposition, she made a point with respect to copies of the legislation the day that Bill 26 was introduced last Wednesday, November 29. I want to inform the House that as has been the practice in this Legislature, at least since I have been here in 1981, copies of this legislation were left on both the critics' desks—

**Mrs Elinor Caplan (Oriole):** I didn't get one.

**Hon Mr Eves:** Just a minute. Before the Finance critic for the Liberal Party chuckles, there have been many days in my duties as a House leader for an opposition party. It is my duty as the House leader to search out the desks, as I have done in 10 years in opposition, to find copies of bills, and when that particular critic is not there it is the House leader's responsibility to then distribute it to the appropriate member of his or her caucus. In addition to that, a copy of the bill was given to the staff of each opposition party as the bill was introduced.

So, the leader of the official opposition, I see some of the very staff on whose seat the copy was placed, as has been the practice in this place for 135 years, by the way, in case you're interested. I see the very staff members shaking their heads. If they weren't here at introduction of bills, that is hardly my place.

**Mrs Caplan:** Yes, it is your place.

**Hon Mr Eves:** No, it is not my place.

**The Speaker (Hon Allan K. McLean):** Order. Order.

**Hon Mr Eves:** If he chooses not to come to work, that's his problem, not mine.

That has been the practice in this place all the 15 years I've been here. I can't tell you how many times I scurried around on the desks over there picking up copies of bills, statements, and giving them to the appropriate member.

**Mr Gerry Phillips (Scarborough-Agincourt):** On a point of privilege, Mr Speaker: He is saying some things that he knows are ridiculous and untrue. The minister

knows full well that at 9 o'clock on Wednesday morning last week I went into the lockup, and you know that, and to imply that I wasn't at work is smearing me and I find it, frankly, insulting and beneath you.

**Hon Mr Eves:** The member for Scarborough-Agincourt is truly amazing. I wasn't even referring to him. Clean out your ears, listen to what's said instead of what you want to be said on your behalf. I said staff—

*Interjections.*

**The Speaker:** The member for Essex South is out of order.

*Interjections.*

**The Speaker:** Order. Could we have some order, please.

**Mr Garry J. Guzzo (Ottawa-Rideau):** Throw them all out.

**Mr Bruce Crozier (Essex South):** We might as well be out. You guys won't let us do anything.

**The Speaker:** The member for Essex South is out of order and I won't warn him again.

**Hon Mr Eves:** Furthermore, with respect to the points of order raised by the leader of the official opposition, Bill 26 has been ruled to be in order by yourself today. There is nothing out of order with respect to Bill 26.

The leader of the official opposition really is trying to find a way around standing order 13(b) that says, "No debate shall be permitted on any such decision, and no such decision shall be subject to an appeal to the House." That was a standing order that she is well aware of. It is a standing order that's been in place for some time in this Legislature, and really, to be truthful, what the leader of the official opposition is trying to do is raise another point of order which really merely revisits the original point of order which you have already ruled on.

**Mr James J. Bradley (St Catharines):** No, no, no.

**Hon Mr Eves:** Yes, that's exactly what she's doing.

And with respect to her point talking about the bill having relevance and what is contained in the bill, the bill is An Act to achieve Fiscal Savings and to promote Economic Prosperity through Public Sector Restructuring, Streamlining and Efficiency and to implement other aspects of the Government's Economic Agenda. We've already discussed in this place with respect to that point of order raised last Thursday. We've already addressed that issue. The issue has already been decided.

Furthermore, Mr Speaker, I would refer you to Beauchesne's fifth edition, page 39, section 119(1): "Speakers' rulings, once given, belong to the House, which, under standing order 12, must accept them without appeal or debate. They become precedents and form part of the rules of procedure. The Speaker is not vested with the power to alter them of his own accord."

I've only begun to respond to the points of order raised by the leader of the official opposition. She also referred in her remarks to the practice of omnibus bills. I would like to suggest to you, Mr Speaker, as indeed has been the case, that the Speaker does not make the rules of the Legislature; the House does. The Speaker's role is to interpret them and to enforce them. A Speaker could not

change a rule or create a new rule even if he or she wanted. I think the authority there is abundantly clear.

While I can understand the frustration of the opposition members with respect to omnibus bills, the fact remains, as Speaker Sauvé pointed out in the House of Commons and, as has been pointed out and alluded to by yourself earlier this afternoon, by several Speakers of several different political parties in this place, that the House determines the rules, not the Speaker, and that there has never, ever in the history of Canadian Parliament been an omnibus bill that has been ruled out of order by a Speaker, simply because it is not within the purview of the Speaker under our standing orders or the standing orders in the House of Commons, or any other province for that matter, for the Speaker to do so.

With respect to the practice of calling the House back, which the leader of the official opposition referred to and which the member for Oriole referred to a couple of weeks ago, we have called the House back in accordance with the parliamentary calendar. That is more than I can say for those two parties. Five years between 1985 and 1990, and five years between 1990 and 1995, I sat over there while those two parties totally abused the parliamentary calendar: never sat according to the calendar, or almost never; always made up reasons why they couldn't come back on time. David Peterson was famous for it. Bob Rae was so famous for it, last year the House hardly sat at all. It sat for about five and a half weeks out of a whole year. And now we hear Chicken Little screaming over there about wanting the House to sit. David Peterson never did it. She was a member of that cabinet. I don't remember her standing up on points of privilege saying, "Why didn't the House come back?"

**Mr Bradley:** On a point of privilege, Mr Speaker: Surely you would consider the term "Chicken Little" out of order in reference to the leader of the New Democratic Party as made by the government House leader.

**Hon Mr Eves:** I withdraw that comment. It was inappropriate and the member for St Catharines quite rightly points that out.

With respect to coming back on September 26 of this year, the parliamentary calendar said we should come back on September 25.

**Mrs Caplan:** You said in the election you'd be back in the summer.

**The Speaker:** The member for Oriole is out of order.

**Hon Mr Eves:** I said no such thing.

**Mr John Gerretsen (Kingston and The Islands):** Oh yes you did.

**Hon Mr Eves:** I did not.

**The Speaker:** Order.

**Hon Mr Eves:** I said no such thing. I challenge any member to prove otherwise with respect to that comment.

Rosh Hashanah is an important holiday of people of the Jewish faith. I approached both opposition House leaders to see if it would be appropriate for the House to return on the 26th, understanding that the holiday, according to some in the Jewish faith, extends until sundown on the 26th. I approached both opposition



House leaders that the House come back late in the afternoon on the 26th.

**Mrs Caplan:** Mike Harris said July.

**The Speaker:** The member for Oriole is out of order.

**Hon Mr Eves:** I asked both opposition House leaders to check, in the case of the Liberal House leader, with the member for Oriole and the member for Wilson Heights, to ensure that we had that consensus and agreement. I also asked the House leader for the third party to check with his leader to make sure that met with his approval. I was assured by both House leaders on a couple of occasions that that was appropriate. To now have the leader of the third party, and two weeks ago to have the member for Oriole, screaming that they didn't agree to come back on the 26th is totally inappropriate and not factually accurate, and I suspect they know that.

With respect to the point of privilege of the member for Renfrew North, I think the member for Renfrew North does have a point. I indicated in the House yesterday and I also indicated in a House leaders' meeting last Thursday morning that I would be going back to my cabinet colleagues prior to this morning's caucus meeting. I would be asking of them what parts, if any, of the legislation they felt they did not need.

I also asked that the same courtesy be extended to us from the two opposition House leaders, to come back to me, to indicate to me what parts of the bill, if any, they felt comfortable in passing. To date, neither one of them has got back to me, except that Mr Cooke, the member for Windsor-Riverside, the House leader for the third party of course chose to respond by issuing an open letter. I will leave it for members of the public to determine whether that was PR-motivated or whether it was a sincere response to my request of last Thursday morning.

I did confer with my colleagues, as I undertook to do. There will be a response to both House leaders this afternoon with respect to the House leader of the third party's letter to me and our previous deliberations. They indeed will be offered some committee time with public hearings.

I would just like to say that I find the points of order and the interruptions of the Legislature, although I would agree it is their democratic right, to be—

**Mr Dwight Duncan (Windsor-Walkerville):** Then split the bill up, Ernie.

**Hon Mr Eves:** No—to be certainly not conducive to helping discussions among or between House leaders. If you really want to achieve a solution to this—

**Mr Frank Miclash (Kenora):** You don't remember sitting over here, Ernie?

**Hon Mr Eves:** Yes, I do remember sitting over there, I say to the honourable member. That's exactly why I'm having this discussion right now.

I will say to members of the official opposition that they may not concur with what is offered, and I understand that. But I am going to tell you right now, Mr Speaker, that what will be offered is far more debate time on second reading of this bill than the previous government gave to opposition parties with all their omnibus bills combined. I will also say that with respect to committee time—

**Mrs Caplan:** Public hearings.

**Hon Mr Eves:** —with public hearings, I say to the member for Oriole, the number of hours offered will be the equivalent of many, many weeks of regular sittings of the committee or those committees to which the bill may be referred.

There will be this afternoon an offer made, responding to the House leaders of the other two parties, as I undertook to do. It will be for them to decide whether they choose to accept it, but the offer indeed will be made, as I undertook to do last Thursday morning.

**The Speaker:** I would like to recess for 10 minutes to confer with the table, and I will come back.

*The House recessed from 1455 to 1505.*

#### MEMBERS' PRIVILEGES

**The Speaker (Hon Allan K. McLean):** I'd like to rule on Mr Conway's point of privilege first. I don't know whether he's coming back in or not, but I can go ahead anyway. I want to thank him for his presentation, as well as that of the government House leader.

After due consideration, I find that the honourable member does not have a point of privilege even though he put forward his frustration about the process. In doing so, he made points that I must agree with and that had been covered in my ruling. He is right that this matter is one for the House leaders and not for the Speaker.

The other points of privilege by Mrs McLeod: I have already ruled that it is not for a Speaker to categorize bills. There is no procedural distinction to be made between types of bills. Furthermore, my ruling refers to the precedent set in the House when on April 23, 1988, Treasurer Robert Nixon introduced budget bills before making his budget statement the next day. As to your last point, I'm fully aware of my obligations and responsibilities as Speaker.

#### PUBLIC SERVICE EMPLOYEES

**The Speaker (Hon Allan K. McLean):** I would also like to rule on the member for Timiskaming. I've taken that under advisement and I will report back to you later.

#### SPEAKER'S RULING

**Mrs Lyn McLeod (Leader of the Opposition):** Mr Speaker, if I may, on a point of order: first of all, an explanation for the ruling you've just offered, which I know is in order under the rules of the House.

**The Speaker (Hon Allan K. McLean):** The Speaker's ruling is final.

**Mrs McLeod:** I understand that, Mr Speaker, but I do need a clarification of your ruling in two respects.

**The Speaker:** No. The clarifications have been made.

**Mrs McLeod:** Mr Speaker, I am sorry, but it is a requirement of you as Speaker to explain your rulings to the House.

**The Speaker:** I have given my ruling.

**Mrs McLeod:** We cannot challenge your ruling but we can ask for an explanation, and I would ask you to explain, as you have used as a precedent for your ruling the fact that Treasurer Robert Nixon introduced a budget bill prior to the introduction of the actual budget, how that addresses my question, which is whether you can

have a budget bill, which you have conceded it as being, in the absence of a budget. That was the question, Mr Speaker, which I don't believe you've addressed.

**The Speaker:** Order. We have had a lot of points of order, a lot of debate. I'd like to move on with the proceedings of the day.

#### CONSIDERATION OF BILL 26

**Mr James J. Bradley (St Catharines):** On a point of order, Mr Speaker: When the government House leader was speaking this afternoon, he indicated how much time would be available to all of us as members of the House—you, as one of the members of the House—for consideration of Bill 26 and that there would be some committee time. He has now conceded there shall be some committee time, maybe some public hearings out there. But I ask you, as the Speaker, how can this be if indeed the government is going to proceed with Bill 26 this afternoon?

**The Speaker (Hon Allan K. McLean):** It will be up to the House leaders to meet and to determine how they want to deal with it. I've heard that they want to meet and deal with it and it'll be up to them; it's not up to me.

**Mrs Lyn McLeod (Leader of the Opposition):** Mr Speaker, on a point of order: In respect to your ruling on this matter that it is the responsibility of the House leaders to determine whether this bill should be divided, I would ask you to rule, therefore, as per the orders of the day, that Bill 26 cannot be called and debated today in advance of the meeting of the House leaders because, as you've rightly said, the House leaders must determine division.

**The Speaker:** We will proceed with the question period.

**Mrs McLeod:** Mr Speaker, will you not indicate whether or not you are prepared to explain your ruling as to whether or not you can have a budget bill in the absence—

**The Speaker:** It's not my place to rule what the House leaders are going to do, nor is it my place to rule what's on the agenda. Perhaps after question period, it would be in order then to do that.

**Mrs McLeod:** Mr Speaker, with respect, you recessed the House in order to consult with the table in order to rule on the points of order which I raised. You did not indicate when I raised these points that they were out of order. You therefore have come back and made a ruling on them.

Mr Speaker, with all due respect, you have not ruled on the specific points of order I raised. The point of order I raised—and in fact you indirectly implied that my point of order was valid by referencing the precedent of Mr Nixon, who introduced a budget bill prior to his budget being read. That relates very directly to the point of order I did raise, which you have not ruled on. I'd be happy, Mr Speaker, if you want to take another recess to rule on this point as well, because the point of order I raised was whether or not you can introduce a budget bill—you have clearly decided this is a budget bill—when there is no budget. That, Mr Speaker, was the point of order, and you have not given us the ruling.

**The Speaker:** I will review the Hansard and I'll report back.

**Mrs McLeod:** Can I expect that tomorrow then? Mr Speaker, I'm happy to have that ruling.

**The Speaker:** I will have to tell the honourable member that I have given my ruling and there will be no further debate.

**Mr Alvin Curling (Scarborough North):** Point of privilege, Mr Speaker.

**Mrs McLeod:** Point of privilege, Mr Speaker.

**The Speaker:** No. What's your point of privilege, the member for Scarborough North.

**Mr Curling:** This is what I'm going to state. Are we both on our feet?

**The Speaker:** I just recognized you.

**Mr Curling:** Okay, good. Thank you very much, Mr Speaker. I don't want to refer to your ruling itself and the talk about the lockup. My privilege was being denied as a member.

**The Speaker:** Order. I have ruled on the proceedings of those days. I have heard the debate. It was in my ruling today, referring to the lockup. My ruling today referred to the lockup. You're wanting to debate my ruling. My ruling is not debatable.

**Mr Curling:** Mr Speaker, I'm not debating your ruling. You talked about a lockup. I was locked up and I tell you my privileges are being denied, Mr Speaker, and I'd ask you to hear it.

**The Speaker:** No. I've heard it. With regard to the lockup, I ruled on that today in my statement and there's no further debate on my ruling.

**Mr Curling:** I am talking about your security, a matter of your security that you are in charge of, Mr Speaker. I'm not talking about the lockup itself. I'm talking about the security that you have enforced that held me in a certain place.

**The Speaker:** Is this a new point of privilege?

**Mr Curling:** That's what I'm trying to say to you, Mr Speaker. When I went into that area to be briefed, I had to sign a document that tells me, and I'd like to read that document so you understand it. I don't know when the minister here is—

*Interjection.*

**The Speaker:** Order, the member for London North.

**Mr Curling:** Mr Speaker, as a member, I was requested to attend a lockup, and I had to sign this when I went in. They asked me, I must sign a document before I could go in, and I would like to read this.

"I, the undersigned, undertake and declare that in consideration of being furnished with a copy of the intended Ontario Fiscal and Economic Statement and supporting documents and/or being permitted to enter the lockup and to leave the lockup, as described below, to return to the Legislature, I will neither transmit the documents of the intended Fiscal and Economic Statement in any form to anyone outside the lockup nor disclose by any means to anyone outside the lockup the contents or proposals of the intended Fiscal and Economic Statement to the Legislature.



"I further undertake, and I declare, that I have no cellular phone, radio transmitter, electronic device or other equipment in my possession that would permit the transmission of information by any means to the location of a receiver outside the lockup."

Mr Speaker—

**The Speaker:** Order. I gave the ruling with regard to the lockup. I had nothing to do with it. If you want to challenge the Speaker's ruling, which is unchallengeable, no.

**Mr Curling:** If you allow me, Speaker, I'll go to the last line of—

**The Speaker:** No. We have had enough discussion with regard to my statement. My ruling is final. In my ruling I talk about the lockup and I talk about the rules and I talk about the members. I don't need to hear any more about it.

**Mr Curling:** But you didn't talk about the security that held me, Mr Speaker, that you are in charge of.

**The Speaker:** Resume your seat, please.

**Mr Curling:** You are in charge of the security that held me and refused—

**The Speaker:** Resume your seat. Minister of Health, ministerial statements.

**Mrs McLeod:** Point of order, Mr Speaker.

**Hon Jim Wilson (Minister of Health):** I'm announcing today—

**The Speaker:** You have a new point of order? Minister, resume your seat. A new point of order.

**Mrs McLeod:** Yes, a new point of order, Mr Speaker: The Minister of Finance and government House leader has indicated that he is prepared to look at division of the bill and I would ask you to determine what effect that has on the subsequent orders of the day.

**The Speaker:** It has no effect at all.

**Mrs McLeod:** Then, Mr Speaker, I would raise two points of privilege which I think need raising.

**The Speaker:** No, we have had all kinds of points of privilege, unless it's on a different subject. On a new point of privilege?

**Mrs McLeod:** Mr Speaker, they are two new points of privilege. They are unique to me alone as a member of the assembly, so these are individual points of privilege which I raise with you.

The first point of privilege was raised in a different way and you referred to it earlier in terms of the hearing of points of privilege. I believe, Mr Speaker, in an earlier ruling today, you referred, I think quite appropriately, to the application of 21(b), which says that matters of privilege must be heard immediately. But as I understood your ruling, it was to say that was only true once there has been established a prima facie case that the point of privilege is a valid point of privilege, and at that point it can take immediate precedence over proceedings that must be dealt with.

It's also my understanding that the hearing of a point of privilege can interrupt any proceeding, and that, obviously, in order to establish whether a point of

privilege has a prima facie case, you must hear the point of privilege first.

I refer you back to last Wednesday, when I rose on a point of privilege in the House. I rose and was not heard, Mr Speaker, by you, as you chose to adjourn the House at this point. I spoke immediately afterwards to the Clerk of the assembly. It was my understanding, and it was confirmed at that time to be a correct understanding, that had I risen on a point of privilege at any point when the Minister of Finance was delivering his statement, I would have to have been heard, that you must hear a point of personal privilege and that it can interrupt the proceedings at any time.

Mr Speaker, I did not raise my point of privilege while the minister was speaking. I believe it is a long-established courtesy of this House, with one exception within my memory, that the Minister of Finance has an opportunity uninterrupted to deliver a financial statement or a budget. I respected that right. I rose before the minister had sat down, and yet I was not heard by you, not even to make my point of privilege, let alone for you to determine whether it was a valid point of privilege.

I was informed by the Clerk that the order under which you were operating as Speaker was an order of the day which directed you to adjourn the House immediately following the reading of the financial statement. I submit to you, Mr Speaker, that because I was on my feet before the minister sat down—and of course I had no way of knowing that you were going to determine that applause was not immediately following the statement and you could allow the applause to continue but my point of privilege could not be heard. I believe that since I was on my feet the moment the minister finished speaking, I was indeed in order and my point of privilege should have been heard.

**The Speaker:** I ruled on that point of privilege in my ruling. It's in there; it's very clear in my ruling.

**Mrs McLeod:** I'm sorry, you did not rule on my point.

**The Speaker:** You read my statement. You review the Hansard. I made that ruling today.

**Mrs McLeod:** I did read it very carefully. You said that a motion of privilege—

**The Speaker:** Whoa, order. I understand the rule that when the Speaker's standing, the members are to resume their seats. Would the member resume her seat, please.

**Mrs McLeod:** I will, then I have a second point of privilege which I will raise, Mr Speaker.

**The Speaker:** A new point of privilege?

**Mrs McLeod:** Yes, a new point of privilege, although I do not believe, Mr Speaker, that you have ruled on my original point of privilege.

#### MEMBER'S PRIVILEGE

**Mrs Lyn McLeod (Leader of the Opposition):** My second point of privilege also relates directly to me and it is an individual point of privilege. Mr Speaker, as you will know, last Thursday I made a charge to the Premier that was unparliamentary. I recognize the fact that it was unparliamentary. You gave me an opportunity to with-

draw. I said that I could not withdraw a statement that I believe to be true, and I therefore withdrew from the House, knowing that you had no choice but to name me on that day.

I was somewhat surprised when I came into the House yesterday afternoon, although I had contacted the Clerk's office earlier in the day, expecting that as Leader of the Opposition I would be able to come back in the House, ask the lead questions and indeed participate in the budget debate, as I came prepared to do.

1520

I was informed by the Clerk that you indeed, Mr Speaker, should have named me on Thursday but that you had neglected to do that. I draw your attention to the fact that the leader of the third party was also in violation of the code of the use of non-parliamentary language, that you asked him if he would withdraw, that he said he could not and he left the House. Apparently, you did remember to officially name him on that day and therefore the leader of the third party was allowed to participate in yesterday's proceedings.

I do feel that because of, I say with respect, Mr Speaker, a perhaps understandable error you made on Thursday, I was therefore named yesterday, a second time indicated that I could not withdraw my earlier statements, and forced a second time to serve the penalty of not being allowed to participate in the proceedings of the House.

Mr Speaker, with due respect, I feel that because of an error you made last Thursday, my privileges as a member have been abused.

**The Speaker:** I should clarify that the ruling that was made last Thursday—Mr Conway had left the same way; the member for Oriole had left the same way; the member for Oriole came back in and was named and left; Mr Conway came back in and withdrew. You didn't come back in again.

Would you resume your seat, please, till I'm finished?

When you came back in, you didn't come back in the same day or you would have been named. When you did come back in, the first opportunity I had to name you was yesterday.

**Mrs McLeod:** With respect, there was a fundamental difference, if you will review Hansard, and I would ask you to do that. Both the member for Oriole and the member for Renfrew North left without being asked whether they would withdraw. I was asked if I would withdraw. I said I could not and left the House. That is a difference, Mr Speaker. Obviously, I've served my time and served it twice. But I do feel, Mr Speaker, that you should recognize the abuse of my privileges.

#### STATEMENTS BY THE MINISTRY AND RESPONSES

##### MEASLES IMMUNIZATION

**Hon Jim Wilson (Minister of Health):** I'm announcing today a reinvestment in preventive health care funding to benefit Ontario's children and young people. With this announcement today, we are taking positive steps to eradicate measles in Ontario.

We said in the throne speech that immunization against childhood diseases was a priority for this government.

We said we would reinvest the savings we find in health care. We said that Ontario's children and youth are important to us.

Between February 1 and the end of June 1996, public health providers will give all school pupils a second dose of measles vaccine. We are immunizing an entire generation, more than two million children and youth, which will serve to protect the whole population.

Let me tell you that measles is not just a harmless childhood disease. It can cause hearing loss, pneumonia, brain damage and death.

*Interjection.*

**The Speaker (Hon Allan K. McLean):** The member for Windsor-Sandwich is out of control.

**Hon Mr Wilson:** One in every 3,000 children who gets the disease will die.

Right now, Ontario children require a single dose of measles vaccine to attend school. It is effective in 90% to 95% of youngsters.

*Interjections.*

**Hon Mr Wilson:** Mr Speaker, I would appreciate, on behalf of the two million children in this province, a little lowering of the volume so I could hear myself think. I think the people of Ontario are quite interested. They're not as interested in the gamesmanship that's been displayed in this House over the last two hours.

*Interjections.*

**The Speaker:** Order.

**Mr Bruce Crozier (Essex South):** On a point of privilege, Mr Speaker: The minister has just made some reference to the gamesmanship in the House in the last couple of hours. I suspect that—

**The Speaker:** That's not a point of privilege. Will the member resume his seat, please. There's nothing out of order. Minister?

**Hon Mr Wilson:** A second dose of measles vaccine raises protection to almost 100%. The vaccine that will be used is safe, as it has been in use in Ontario for more than 20 years.

Following this initiative, we will initiate a second dose of measles vaccine as a standard requirement for all children entering school in Ontario. Right now in Ontario, children only get one round of measles vaccination. From now on, they will get two doses of measles vaccination prior to entering and registering for school.

Local public health departments will be delivering the campaign against measles. These front-line providers of public health care have always delivered excellent service. They will work with the cooperation of Ontario's physicians, schools, teachers and administrators, local school boards and the Ministry of Education and Training.

Thereafter, physicians will immunize children with a second dose prior to school entry.

Ontario is taking the lead in Canada. We are the first province to announce such an all-encompassing program. Our campaign is the largest immunization program in the history of Ontario, and its timing could not be better.



We are leading the way, as part of national and international agreements, to eradicate measles in the western hemisphere and around the world. Globally, measles kill one million children each year. There are serious concerns that 1996 may bring a major outbreak to Ontario.

Moreover, I'm delighted to announce that we have purchased the measles vaccine from Connaught Laboratories Ltd of North York. It was a competitive tender and Connaught Laboratories was the successful bidder. That means our health care reinvestment will not only protect our young people; it will also provide jobs for Ontarians. We are delighted that this local manufacturer has the technical excellence to be one of the leading suppliers of this vaccine, and we are delighted to be entering into partnerships with the private sector to help protect the children and youth of Ontario.

I want to thank a number of experts who had been with us in the gallery earlier today and were with me at the press conference earlier today. They provided advice in developing this program and they've lent their support to helping to implement this important initiative.

They are Dr Richard Schabas, who is Ontario's chief medical officer of health; Peter Elson and Winston Miller, the executive director and president, respectively, of the Ontario Public Health Association; Al Northan, who's president of the Association of Local Official Health Agencies; John Spika, who's director of the Bureau of Infectious Diseases at Canada's Laboratory Centre for Disease Control; Dr Ron Gold from Toronto's Hospital for Sick Children; Jim Ramsay and Dr Pierre Lavigne of Connaught Laboratories; and finally, Dr Verna Mai, who's a member of the Ontario Medical Association's population health committee. All these people should receive the congratulations of all members of this House for their hard work in this historic initiative for the children and young people of this province.

**Mrs Elinor Caplan (Oriole):** I listened carefully to the minister's statement, which was previously announced by the chief medical officer of health at a meeting of the Ontario Public Health Association, and I believe that immunization for measles is a very important part of public health.

I would also say to the minister that if he is concerned about the health of children in the province of Ontario, proper nutrition, a decent and safe place to live, care before and after school and, for those who are not in school a full day, child care are extremely important. Children, when they are sick, need access to drugs, and we know that as a result of the policies of this government the parents of some 400,000 children who have already had a cut of over 21% in their welfare social assistance support will have to pay a user fee for drugs when their children get sick.

I'm not going to hold the minister responsible, because in fact he is the Minister of Health and these are Comsoc initiatives: cuts to child care, cuts to social assistance support, initiatives around cuts in child care, and also the cuts to second-stage housing for women and their children who are leaving abusive and violent situations at home.

I would say to the minister that I have been looking up some of the things he had to say when he was in opposition. He is responsible for Bill 26, the most draconian, the most anti-democratic, the most dictatorial piece of legislation, the most absolute powers that any Minister of Health has ever attempted to amass.

I would say to him that yesterday in this House he also did a public relations statement designed to suggest to the people of this province that he was listening, and today the Ontario Medical Association says it had not been consulted or informed about further initiatives the minister referred to.

I would remind the minister of his own words: "When the government refuses to listen to the people of Ontario, we have no choice in opposition but to get up and, as forcefully as every fibre in our body can muster, bring forth the points, the issues and the concerns we are hearing from the people of Ontario." You said that when you stood on this side of the House, sir. I remind you of those words as you talk about the health of children in this province. This initiative today does not do enough to ensure the health of our children.

1530

#### ORAL QUESTIONS OMNIBUS LEGISLATION

**Mr James J. Bradley (St Catharines):** My question is to the Deputy Premier, who is also the government House leader.

Much as I dislike negotiating in public, I saw the House leader blink, and when the House leader blinks I know it's a good sign, so I want to ask him the following: In view of the fact that you, as an individual who has sat on this side of the House and on that side of the House, are aware of how important the democratic system is—I presume—and how important it is for governments not to make mistakes by moving too quickly and too drastically and not examining the ramifications of the measures they are implementing in the House through their bills, are you now prepared this afternoon, at long last, to say you will divide this bill into a number of bills to be discussed between the House leaders so we can consider those bills in an appropriate fashion with all the necessary details, with a full debate, and hopefully, without the use of closure?

**Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader):** I am not prepared to undertake negotiation with respect to House leaders' matters across the floor during question period. I am, however, going to respond to both House leaders this afternoon with respect to the requests that they have made.

**Mr Bradley:** What we in the opposition have asked for, and as I'm sure at least some members of the government caucus must have told you this morning at your caucus meeting, is appropriate consideration of this bill.

Are you, in addition to providing ample time to deal with the bills contained within this bill, prepared to ensure that there will be appropriate time given—and that's generous time given—to public hearings across this

province so that individuals who have concerns about the bill or who may wish to express support for the bills we have before us, contained in the omnibus bill, will have this opportunity for input and so we can have the best possible legislation emerge at the end of the day?

**Hon Mr Eves:** As I indicated in response to the initial question, I am not going to respond to specifics during question period. I will respond to the request of the other two House leaders later today and they can decide whether that offer is acceptable or not acceptable.

**Mr Bradley:** I think the people of this province are very interested in what's happening now, quite obviously. Initially, most people are not. I'm sure, as I say, the political geniuses and the whiz kids and the others I described the other day, the backroom people who advise governments, will tell you that you can get this through, that we're approaching Christmas and the interest will shift to other matters out there and you really don't have to worry, that if you want to, you can simply bulldoze it through this House and in a couple of months from now a lot of people will forget about it.

That's why I'm asking you today, this afternoon, with the people of this province watching, in a very open and democratic way, will you give an undertaking to sit well beyond Christmas, into January, February, even March if you wish, so these bills can be considered appropriately, bills that give sweeping powers to the Minister of Health, for instance, to be able to close a hospital in the ridings of any one of the people who sit in this Legislature; that give him other important powers, absolute powers, to be able to tell doctors when and where they shall practise; that give municipalities—and I know, Mr Speaker, you'd be interested in this—the ability to create new regional municipalities or amalgamate municipalities without the consent of this Legislature?

Are you prepared, first, to split the bill into several bills; second, to have public hearings with input across the province; and third, if necessary, to sit in January and February of the coming year to deal with this important legislation with many ramifications for this province?

**Hon Mr Eves:** I repeat the answer I've given on the first two questions. I have told the honourable House leader that I will be responding to both him and his third-party counterpart this afternoon with a proposal, and that's exactly what I intend to do.

#### PROTECTION OF PRIVACY

**Mrs Elinor Caplan (Oriole):** To the government House leader, to the Deputy Premier and to the Finance minister: One of the reasons I am asking if you will today commit to full public hearings on every aspect of Bill 26 that affects health is that in just one section—and I've just had a briefing from ministry officials and a chance to review the legislation—in just the Health Insurance Act, schedule H, it says—and I believe this needs public hearings and I'm asking if you will commit to make sure that the people have a right to know what this legislation contains—to paraphrase, that every person who uses health services in the province of Ontario will automatically consent to allow the general manager access to their health records.

In light of that and in view of the fact that this same part of the legislation says the minister or the general manager may disclose information obtained under this act, that is, health records of individuals, and that if they do that, as a previous minister did and was forced to resign her seat because she disclosed that information, your Minister of Health or your general manager would be safe, harmless: "No action lies against the minister or the general manager, or any member of the staff of either of them, or any person or organization, for disclosing information in accordance with the act"—

**The Speaker (Hon Allan K. McLean):** Would you put your question, please.

**Mrs Caplan:** Minister, will you guarantee that you will permit full public hearings so that provisions in this legislation, and this is just one, can receive full public scrutiny?

**Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader):** With respect to the health aspect of Bill 26, I would refer the question to the Minister of Health, and she already has my response to her House leader.

**Hon Jim Wilson (Minister of Health):** The honourable member for Oriole is in error with respect to her interpretation of that section of the act. She will know that further in the act we are amending, in no way can the Minister of Health or inspector or supervisor or any general manager of OHIP disclose public information and in any way override the Freedom of Information and Protection of Privacy Act. The privacy act is supreme and those provisions are not overridden by anything we're doing.

**Mrs Caplan:** I would point out to the minister that this act says very clearly, "No action lies against the minister or the general manager, or any member of the staff of either of them, or any other person or organization, for disclosing information in accordance with the act." That allows the general manager to have access to the health records of the people of the province of Ontario simply because they have accessed service.

Further, I would say to the minister that for the very first time in the province of Ontario a Minister of Health can appoint an inspector, not someone from the Medical Review Committee, not someone from the College of Physicians and Surgeons, but an inspector who can—and this is in the legislation: "The minister may appoint persons as inspectors who shall act only under the direction of the general manager" of the health insurance plan, "To enter and inspect premises where insured services are provided" and carry out inspections, "To inspect and receive information from health records or from notes, charts and other material relating to patient care and to reproduce and retain copies of them," and that this inspection can be at any reasonable time without notice.

1540

This is an unprecedented power for any Minister of Health. Do you believe that with these kinds of powers the public should be able to come to public hearings and understand and have their say?



**Hon Mr Wilson:** Again the honourable member for Oriole is in error. This is not an unprecedented power. First of all, the exemption-from-liability clauses are contained in several dozen pieces of legislation. She and I sat in the social development committee when we were in opposition and she will know of many references to exemption from liability with respect to the crown and those officers who act on behalf of the crown, like the general manager and his or her inspectors.

Second, I'm glad she asked about this section. This government has a zero tolerance policy with respect to health card fraud. Those provisions in the act will allow us to get to the root of the fraud problem in this province, something she failed to do when she introduced the silly red and white health cards, with which there's no way to figure out whether somebody from America is coming in and using our health care system, no way your health card is hooked up to a common database. The provisions in this act will allow us finally to nip fraud in the bud and actually enforce our policy of zero tolerance with respect to ripping off the taxpayers in this province.

**Mrs Caplan:** The Minister of Health has finally admitted to just some of the powers he is amassing unto himself, powers to have access to patient records, power to appoint inspectors to enter any doctor's office or health facility and copy those records, powers that, I would say to you with all due respect, the police do not have, that the RCMP do not have and that CSIS does not have. I would respectfully suggest that he and his government are attempting to have these new powers without any public hearings, without any public scrutiny, and I would say to him that the people of this province will not stand for that and you will not get away with it.

**Hon Mr Wilson:** Again the honourable member for Oriole is in error.

**Mrs Caplan:** No, I am not.

**Hon Mr Wilson:** You certainly are. The powers of inspectors are contained across a number of ministries and a number of different pieces of legislation. For example, today a public health officer who wants to inspect a restaurant or look after food quality and other public health measures has very similar inspection powers as we are now bestowing in the OHIP area to ensure that we stem both patient fraud and also any provider fraud that might be going on in the system. We want to make sure that where needed, the officials—and it's not the Minister of Health, it's officials—have the authority.

You will certainly know that in the Nursing Homes Act, inspectors today can go in and inspect all the records, including patient records. There are numerous other acts—I have a list of them pages long, I say to the member—in which similar powers exist. The people of Ontario should not get worried. This is not unprecedented and it is not new. It is a tool to ensure that we nip fraud in the bud. Anyone out there who has nothing to hide from the general manager of OHIP has nothing to fear from this provision in this act.

#### OMNIBUS LEGISLATION

**Mrs Lyn McLeod (Leader of the Opposition):** My question is to the Minister of Finance and the government

House leader. Minister, you have today essentially indicated that the reason you brought in this omnibus bill is that you need the measures contained in the bill to implement your expenditure cuts.

You have given us no budget; you have refused to give us a budget. You have left out of your expenditure statement some rather critical things that we would have found in a budget in terms of your budgetary goals, your revenue sources and the way in which you were going to make further cuts. But you have given us an omnibus bill, a big, bad budget bill, in order to implement the budgetary measures you have introduced in your expenditure statement.

You have also indicated today that you will be approaching the cabinet to determine what particular parts of this omnibus bill your colleagues might not need. Minister, you will be aware, as we all are, that you as government House leader have placed on the orders of the day the second reading of the omnibus bill, undivided.

In order for us to enter into this debate this afternoon, I believe you have an obligation to tell us what parts of this bill you are prepared to take out for separate consideration so that we may debate them fully. Most particularly, has the Minister of Health indicated that any part of the sweeping powers provided to that minister—the kinds of powers which have just been outlined only in the beginning by our critic the member for Oriole—are powers which he does not need to bring about your budget cuts?

**Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader):** I believe there were actually several questions asked by the leader of the official opposition, and I will attempt to answer them.

With respect to the particulars in the economic statement delivered on November 29 and her assertion that there are no particulars, I would say that exactly the contrary is true. With respect to the economic statements delivered on both July 21 and again on November 29, there are full and sufficient particulars with respect to the budgetary year 1995-96. With respect to future years, she will get that in the 1996 budget, as has been the practice in this place.

With respect to her question referring to the specific legislation, no, I have not received an indication from the Minister of Health, to answer her question very directly, that he is prepared to forgo at this particular time any of the sections in Bill 26 relating to his ministry.

**Mrs McLeod:** One of the things we have been hearing about the future and the budget, which presumably is to be presented next spring, from both the Premier and the Minister of Health is that they have made savings in the Ministry of Health and those are the very savings which they are committed at some point to reinvest.

Having presented that financial statement, you know full well that there are no savings other than those which you might realize through the user fee that is being imposed on welfare recipients and seniors and the disabled. Apart from that, all we have in relationship to

the budget for the Ministry of Health is a \$1.3-billion cut to hospitals.

You know that is a direct cut. It is money which is gone. It is gone to your bottom line. It is money which is gone to pay for the tax cut, which you are committed to bringing in in your spring budget. It is only a cut right now—your ministry officials confirmed the fact that this money is a cut—and therefore there are no savings. That \$1.3 billion is gone and there are no equivalent savings. It seems to me that is exactly why your Minister of Health will not tell you he doesn't need the sweeping powers that you want to give him under this omnibus bill.

**The Speaker (Hon Allan K. McLean):** Put your question, please.

**Mrs McLeod:** He needs those powers and you need him to have those powers because it is only by forcing the closure of hospitals, and forcing the closure of hospitals fast, that you are going to get any savings at all in order to show some savings and not just a cut to health care.

Is it not true that you need to force hospital closings across this province in order to meet your commitment to your constantly changing budget target, in order to find savings which you can later reinvest so you can make honest men of the Premier and the Minister of Health?

**Hon Mr Eves:** First of all, we are not outlining, and I'm sure she's aware of that, a \$1.3-billion cut in the fiscal year 1996-97. What we are indicating and what we indicated last Wednesday in the statement is that there is a figure of \$365 million with respect to a reduction in funding to hospitals in the province for the next fiscal year; not this fiscal year, next fiscal year. There's also a statement, by the way, in the statement that some of that money will be reinvested in new initiatives in health care as they come on stream.

To the last point the honourable member directed—pardon me, there are two more points. First of all, the exact expenditures in health care will be outlined in the 1996 budget for the fiscal year 1996-97. As much as I would like to be able to tell the honourable member, and I'm sure other people would like to know, everybody will have to wait until the 1996 budget is structured for fiscal year 1996-97 to find out the particulars of the same.

With respect to the fact that somebody is suggesting that we are forcing hospitals to close, nothing could be further from the truth. The previous government, as she is well aware, started some initiatives with respect to district health councils all across this province. Some have already taken place in restructuring; some in my own community, I might add.

Also, I would say to the honourable member, she knows full well that the Metropolitan Toronto District Health Council was well under way and came up with a recommendation, long before the economic statement or any proposed reduction to hospitals was introduced on the floor of this Legislature last Wednesday, about some of their own initiatives as to how they suggest that significant restructuring and savings could be found in the health care system in the province of Ontario, within their jurisdiction, that would provide better health care to

front-line patient care, which I think is what everybody wants to do in the province of Ontario.

1550

#### WORKERS' COMPENSATION BOARD

**Mr John Hastings (Etobicoke-Rexdale):** I have a question to the minister responsible for WCB reform. Over the past few months, a number of injured workers in my riding have been very concerned about the financial chaos at the WCB, particularly as a result of the bipartite board they have there—a very incompetent one. They're concerned about a system that's unable to deal with employers who have not contributed their fair share. Some employers aren't even paying their premiums. Can the minister indicate to this House the extent and scope of the fiscal mess at the WCB on this issue?

**Hon Cameron Jackson (Minister without Portfolio [Workers' Compensation Board]):** First of all, I'd like to thank the honourable member for his question. I want to share a little bit of information with the members opposite about part of the financial mess we've got at the Workers' Compensation Board.

The issue about the fact that we have a serious number of late payments and non-payments, revenue that's being lost—I want to share with the House the numbers that were involved here. Lost revenue in 1993 was \$200 million; \$173 million in 1994; and this year, which isn't a complete picture, it's already at \$165 million. So these are huge—

*Interjection.*

**Hon Mr Jackson:** Well, I'm going to get to that part in my supplementary, as a matter of fact. We've been very patient over here waiting this long to get this question on, so you can be at least patient for my supplementary.

My colleague the Minister of Labour brought in Bill 15 which dealt with strengthening provisions for penalties for non-payment of employers, and also for introducing financial accountability, a strong framework within the legislation.

The truth is that in the previous five-year period of workers' compensation, bipartism has failed, the stewardship of the NDP government has failed injured workers in this province, and frankly, when one third of every premium dollar spent in this province is a charge to reduce the unfunded liability, we cannot afford to continue to write off these hundreds of millions of dollars in payments each year.

**Mr Hastings:** My supplementary to that informative answer from the minister deals with a concern, not only of my own but a lot of my constituents and even many Ontario citizens, that such massive amounts of money have not even been attempted to be collected. That money, as you have said, could have helped to offset the huge unfunded liability which the WCB presently has. In fact, it's come to my attention that there is a company in northern Ontario which owes the board about \$2.6 million.

Can the minister indicate, as he continues to examine a range of reform options, whether this particular area of financial incompetence by the board will be a number one priority in his spring report?



**Hon Mr Jackson:** As I indicated earlier, it's clear that this government's early piece of legislation, Bill 15, addresses the framework for financial accountability, but clearly, additional reforms are required in order to ensure that these large write-offs do not continue. The fact is that in the last five years, under the previous government, we've had \$600 million in write-offs. These are moneys that should have gone to pay down the unfunded liability, that should go in payouts to injured workers in this province.

Frankly, when you combine that with the \$1.5 billion that was drawn down from the investment fund to play with the books of the WCB, when you combine these two figures, you're over \$2 billion of financial mismanagement, a crisis at the WCB that wasn't created by this government; it was inherited by this government.

But frankly, the thousands of injured workers in this province have a right to make sure that our WCB is managed properly, and the employers who pay the premiums in this province have a responsibility to ensure that those who are paying their premiums are dealt with fairly. Our government is committed to those reforms, and we'll be having a discussion paper out to the community at large before Christmas of this year.

#### PUBLIC SERVICE PENSIONS

**Mr Gerry Phillips (Scarborough-Agincourt):** My question is to the Deputy Premier and Minister of Finance, and it is on Bill 26. I think it's indicative of why we feel there's a need for full public hearings on the bill. I just want to take one two-page aspect. For the public, this is two pages of 230 pages, I think. It has to do with the Public Service Pension Act.

The briefing we got yesterday said this: that it is the government's intention to exempt itself from the Pension Benefits Act. The Pension Benefits Act is an act designed to protect pensioners, both private sector employees and public sector employees. But this bill does this: It exempts the government from the Pension Benefits Act. It is retroactive for three years. It goes back to January 1, 1993. It is designed to save the government \$225 million of benefits that would be payable, we were told, to the 10,000 people that would lose their jobs as a result of the restructuring.

Can the minister confirm what we were told yesterday, that the intent of those two pages is to exempt the government from the Pension Benefits Act, to take \$225 million worth of savings and deny benefits to 10,000 people as a result of that?

**Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader):** I'll refer this aspect of Bill 26 to the Chair of Management Board. It's his responsibility.

**Hon David Johnson (Chair of the Management Board of Cabinet):** This particular act, as the member has indicated, was structured to ensure that employees were dealt with fairly when the number of employees was being reduced and the firms were being wound up. Now, that's not the case for the province of Ontario. It is certainly true that the province of Ontario will be reducing the number of employees. We have clearly announced

the intent, through the election and subsequent to the election, that we're going to have to downsize the government, that we're reducing the costs of the government. But clearly the province of Ontario is not going out of business. So all the employees will be dealt with fairly in terms of their pension.

However, had this provision kicked in, and the superintendent had indicated a possibility of the provision kicking in with a significant downsize in the public service, then those employees who left the employ of the province of Ontario would continue to improve their benefits—it's called "growing in," the growing-in provision—even beyond the rate of inflation, even while they were no longer in the employ of the province of Ontario and indeed even while they may have found some other employment. That particular provision goes way beyond what would be deemed to be fair—

**Mr Mike Colle (Oakwood):** Just like Conrad Black.

**Hon David Johnson:** No, not at all like Conrad Black. Obviously the member does not understand what is implied here. But the basic point is that the employees will be treated fairly but they will not be given any special provisions at a cost to the taxpayer of Ontario.

1600

**Mr Phillips:** Just so the public understand, the minister confirmed exactly what I said, that it is the intention of the government to deny \$225 million worth of benefits that would have been available to those 10,000 people. Whether you think that's the right thing to do or not, you are doing it. You're doing it the only way a government can do it, and that is to pass legislation exempting itself from the Pension Benefits Act, a Pension Benefits Act designed to protect people not just when companies close but when there's a significant downsizing.

My question is this: Because this is simply one of hundreds of similar, huge proposals in this bill, don't you think those 10,000 people that are going to be affected by this at least deserve an opportunity to come before the Legislature to make their case and to have this bill fully explained to them? Don't you agree that those 10,000 people deserve full public hearings before you take the \$225 million away from them?

**Hon David Johnson:** I can simply reiterate that the employees involved will be given extremely fair treatment. They would be given the kind of fair treatment, in terms of pension receipts, that they would ordinarily get.

What has happened is that the government represented by the member opposite in 1989, the Liberal government, introduced the Public Service Pension Act and gave extremely generous provisions—extremely ridiculous, frankly, is the word that's being used—in a case where there is a significant downsizing to the civil service.

Now, Mr Speaker, you may say, "Well, isn't that fine for those members who get the extremely generous provisions," way over and beyond what ordinary people would get for pension provisions. The problem is the taxpayer has to pay for this, and if the member opposite, the Finance critic, thinks that the taxpayer should be paying to the tune of several hundreds of millions of

dollars for this pension scheme, \$400 million or \$500 million beyond an ordinary pension, then the member should vote against this bill.

#### DRIVER EXAMINATIONS FOR SENIORS

**Mr Leo Jordan (Lanark-Renfrew):** My question is for the Minister of Transportation. Mr Minister, on two different occasions I read to this House petitions signed by over 300 constituents requesting that changes be made to the drivers' examination requirements for seniors, specifically those over the age of 80. Mr Minister, could you please tell the members of this House and the constituents of Lanark-Renfrew that something will be done to change the current requirements?

**Hon Al Palladini (Minister of Transportation):** I would like to thank my colleague for the question and help spread out some good news. As part of our road safety plan, we are going to be treating our senior citizens with some respect. Most people over 80 are careful drivers with excellent records. Many seniors already restrict their driving at certain times of the day or certain roads or even conditions. Insurance companies consider senior drivers to be good risks for precisely these reasons. So does the Ministry of Transportation.

Once it is in place, our new program will require seniors to only come in once every two years, and they will only have to do a road test if it is absolutely necessary.

**Mr Jordan:** What specifically will be done so that driver examinations may not have to be performed every year for the seniors over 80?

**Hon Mr Palladini:** This program will respect our seniors over age 80 while ensuring their safety and the safety of other motorists. Right now we road test everyone over the age of 80 every year, and 99% of the times these senior citizens do pass the test. We believe that a better approach is to bring them in every two years, test their vision, test their knowledge and have a group counselling session to assess their skills and make them aware of any risks they may have. The ministry will decide, based on the individual's test score and driving record, whether the person's licence will be renewed or whether a road test is required. If they require a road test, we will administer one.

**The Speaker (Hon Allan K. McLean):** New question.

**Mr John Gerretsen (Kingston and The Islands):** What the Chairman of Management Board totally missed in the last question is that these 10,000 people want a public hearing and they want the ability to say something.

#### MUNICIPAL GOVERNMENT

**Mr John Gerretsen (Kingston and The Islands):** My question is to the Minister of Municipal Affairs and Housing along exactly the same line. Minister, you know that in Bill 26 there are some dramatic changes to the way municipalities have operated in this province. They will have the ability to take over utility companies, to change their boundaries, to get involved in amalgamations and annexations, to dissolve local boards and start imposing hefty user fees, to name but a few.

Minister, you know it's extremely important, and indeed it has been a hallmark of local government in this

province, that public hearings and public meetings are an absolute necessity for municipalities to function properly. That's the way they've functioned over the last 100 years or so. Why is it that in this act dealing with municipalities there's absolutely no requirement for any public hearings to take place before municipalities can take the drastic steps I've asked you about? Can you answer that?

**Hon Al Leach (Minister of Municipal Affairs and Housing):** The municipalities have been after the province for many years to give them more autonomy, and we plan to do that. There's nothing in that bill that precludes a municipality from having hearings on any aspects of the new tools we're prepared to give them. They can—

**Mr Gerry Phillips (Scarborough-Agincourt):** Annex?

**Hon Mr Leach:** Not within their own municipality, but if they want to license or if they want to franchise, they will no longer have to go through the complicated process of a referendum. They will have the powers to do that, as they should have.

**Mr Gerretsen:** Minister, there are two issues here. One is whether they should hold public hearings, which is totally separate and apart from the issue of whether they should be given the ability to do what you're doing in this act. Of course, they also have the ability to start imposing heftier user fees.

I wonder if you could answer this question: Why will they have the power to impose these user fees? The reason I'm asking this is that we were told yesterday at the meeting with some of your officials that the main reason they're being given greater powers to impose user fees is to ensure that some of the activities in the areas where they're going to impose user fees will act as deterrents to people from using those facilities.

That's what we were told, and I wonder what your comment is on that. Are user fees being allowed so that in effect the public can be deterred from utilizing some of the services municipalities provide?

**Hon Mr Leach:** I'd like to point out that the fine city of Brantford in Ontario was given user fee legislation in 1985. We're not doing anything that hasn't been out there in the public for many years. The city of Brantford has had it. They've used it responsibly.

I have faith in the municipalities of the province that they will carry out their responsibilities in a very responsible way. I can't understand why you don't. We've dealt and met on many occasions with AMO. We've reviewed all of this legislation with them. The municipalities are thrilled to be able to get some autonomy at long last.

#### SNOWMOBILING

**Mr Bill Grimmett (Muskoka-Georgian Bay):** My question is to the Minister of Transportation. I hear reports that there are over 30 centimetres of snow in my riding, and snowmobiling is of great importance in my riding. The snowmobile season is upon us. Unfortunately, in the past this has meant some accidents and in some cases deaths. I know you're committed to safety in transportation and I'd like to know what your ministry is doing to promote snowmobile safety this season.



**Hon Al Palladini (Minister of Transportation):** I would like to thank the honourable member for the question. I am concerned about snowmobile safety and my ministry is very much involved in promoting safety. Every year approximately 40 people die in snowmobile accidents. The real tragedy is that most of these deaths could have been prevented.

I am pleased to inform the member that the Ministry of Transportation chairs the Ontario Snowmobile Safety Committee, which was established to promote snowmobile safety. On November 28 the committee launched its Ride Safe, Ride Sober campaign. This education campaign is aimed at preventing high-risk behaviour such as drinking and snowmobiling, riding on thin ice and speeding. It has received much media attention and we hope it will make a difference.

1610

**Mr Grimmett:** I'm glad to hear of the campaign and I hope it goes well. Are there other ministries or groups involved, and do they have other initiatives planned?

**Hon Mr Palladini:** I would like to share this information. I think the members across the hall here would also find it very interesting and supportive.

The government of Ontario is the committee's major sponsor. The committee includes people from the ministries of Transportation, Citizenship, Culture and Recreation, the Solicitor General, Attorney General and Northern Development. Groups from outside the government include the Ontario Federation of Snowmobile Clubs, snowmobile manufacturers and interest groups such as the Addiction Research Foundation and the Royal Life Saving Society. All members know that government can't do everything by itself, and we are grateful for the support and participation of outside groups.

This year, the committee has a snowmobile safety strategy plan which has several initiatives to promote snowmobile safety, including publicizing the findings of the snowmobile injury report, mobilizing the Sled Smart education team—

**The Speaker (Hon Allan K. McLean):** Wrap up your answer, please.

**Hon Mr Palladini:** —also, the snowmobile training program is very important, and reviewing the Motorized Snow Vehicles Act to see if changes are needed.

Safety is this ministry's priority—

**The Speaker:** Order. The question has been answered.  
PROTECTION OF PRIVACY

**Mrs Lyn McLeod (Leader of the Opposition):** I want to return the Minister of Health to the question raised by the member for Oriole. I refer him to the powers he seeks under Bill 26, specifically page 101, in which it states, "The minister or the general manager may disclose information obtained under the act if the minister or the general manager, as the case requires, is of the opinion that the disclosure is necessary for the more effective management of the health care system or for the delivery of health care services." A sweeping power indeed, made even more frightening by subsection (4), which says, "No action lies against the minister or the general manager, or any member of the staff of either of

them, or any other person or organization, for disclosing information in accordance with the act."

We all remember that a former Minister of Health in a previous government voluntarily resigned her position in cabinet because she had inadvertently disclosed confidential information. We also remember that another minister of that same government was subject to intensive and prolonged criticism because of the belief that she had access to confidential information and had used it inappropriately.

Under the terms of this bill, is it not true that if you or any future Minister of Health even inadvertently misused confidential information, there can be no sanction taken against you?

**Hon Jim Wilson (Minister of Health):** I think I explained some of the reason for the particular provision before. Second, with respect to the release of patient information, which I think the honourable member is implying, certainly that is not allowed under this act, because the override is the Freedom of Information and Protection of Privacy Act.

The particular disclosure mentioned in subsection 21(4) is to allow the general manager, after complete due process, as you would in any court of law, to make public the names of guilty parties. In this particular section, we're dealing with provider fraud; therefore, a doctor, after having gone through due process—that is very crucial—may have his or her name made public if found guilty with respect to fraud, but only after all the safeguards provided by this act and our justice system are fully exercised.

**Mrs McLeod:** I fail to see where that kind of condition or caveat is applied in the actual wording of this bill, which emphasizes our point: Even a single provision of this nature, which gives such sweeping prerogatives to the Minister of Health and to the agents of the Minister of Health, must be subject to public debate.

I further add to that by referring to page 109, subsection 40.1(1), in which the minister may appoint an inspector and the inspector would have the following powers—Mr Speaker, I know you will rule me out of order if I list all the powers the minister can assign to an inspector, but I get to paragraph 4, which is a power:

"To enter and inspect premises where insured services are provided"—these are private physicians' offices—"and to inspect the operations carried out on the premises.

"5. To inspect and receive information from health records"—individual health records—"or from notes, charts and other material relating to patient care and to reproduce and retain copies of them."

Those powers are not now held by the Minister of Health, let alone by any agent appointed by the Minister of Health. It is presently only within the power of the College of Physicians and Surgeons or through the power of the Medical Review Committee to have access to confidential information on patient records.

I ask this minister how he can possibly justify not only giving himself and his direct agent the power to have access to and to disclose private confidential information,

but to appoint an inspector who would indeed have access to confidential medical records in a private physician's office, a power which does not now exist, and whether the minister can tell us what sanction, if any, can be applied to such an inspection.

**Hon Mr Wilson:** The honourable member knows—she's been around this House for a number of years—that in dozens of pieces of legislation, similar inspection powers and the right to review records does exist.

I'll draw the member's attention to the particular clauses, though, that might help her respond to her question.

"The minister may appoint medical and financial inspectors from among the persons nominated by the College of Physicians and Surgeons of Ontario. These inspectors shall act only under the direction of the Medical Review Committee."

Not the minister—they're nominated by the college. We have these inspectors today. In many cases, these inspectors are doctors themselves who go in and review the records with respect to OHIP services.

The next clause makes it clear they don't have sweeping powers to look at every patient record. It says, "The powers and duties of inspectors appointed under subsection (2) relate only to the provision of insured services by physicians." So in most cases you'll have physicians reviewing the records of physicians to ensure that the billings are correct, to ensure that fraud has not occurred.

It's a very rarely used provision now. It clarifies the intent of current legislation and it was requested by the College of Physicians and Surgeons as one of the tools needed to clamp down on fraud. I didn't cook this up. The college itself asked for it, and we're responding to its ability to self-govern and have full respect for the medical profession in this province.

**Mrs Elinor Caplan (Oriole):** A point of order, Mr Speaker: I know the minister would not want to deliberately give information to this House that was incorrect. Subsection 40(1) says, "The minister may appoint persons as inspectors who shall act only under the direction of the general manager."

**The Speaker:** The member is out of order. You're out of order.

*Interjection.*

**Mrs McLeod:** On a point of order, Mr Speaker.

**The Speaker:** No. There's nothing out of order.

**Mrs McLeod:** Mr Speaker, you have not heard my point of order.

**The Speaker:** There is nothing out of order.

*Interjection.*

**The Speaker:** No. The member's out of order and she knows it. New question.

#### TRANSPORTATION OF WASTE

**Mr John Hastings (Etobicoke-Rexdale):** I have a question for the Minister of Environment and Energy. Recently, the federal Environment minister, Sheila Copps, issued and signed an interim order under the Canadian Environmental Protection Act that would ban the export of PCBs to the United States.

My question to the minister is, does the minister agree with this interim order to ban the export of asbestos and PCBs to the United States, and if she doesn't, does she have a different alternative in place to make vigorous representations to the federal government on this job-killing ban?

**Hon Brenda Elliott (Minister of Environment and Energy):** I thank my colleague for the question. This is a concern for us in this province. It's important to recognize that regulating the international movement of hazardous wastes does rest with the federal government. We are aware of this interim order and quite frankly we are concerned about this particular order.

It's important to realize that Ontario is faced with 116,000 tonnes of PCBs. We have signed an agreement with the federal government to reduce 50% of that and to eliminate that by the year 2000. We are concerned with the ramifications of this interim order and, as my colleague asked, we have made those concerns known to the federal minister.

1620

**Mr Hastings:** Madam Minister, will you carry more vigorous representations to Ottawa regarding this ridiculous job-killing ban and insist that the minister federally look at other alternatives that are a lot more economically viable and realistic?

**Hon Mrs Elliott:** We are aware of a number of alternatives. There's a company very near my home town that has a new method of destroying PCBs. We can, of course, ship our PCBs to Alberta, but that is quite expensive and we believe industry should have all options available, providing they're environmentally safe, to deal with the hazardous waste of PCBs.

Given that, we have made communications to the federal minister to indicate that this is of concern to us. We have also notified the other members of cabinet.

#### HIGHWAY TOLLS

**Mr Mike Colle (Oakwood):** I have a question for the Minister of Transportation in regard to this dictatorial bill. I'm just wondering, Mr Minister, whether you realize, under these amendments to the Capital Investment Plan Act, 1993, and the Highway Traffic Act relating to toll highways, that you're giving these corporations that charge tolls the right to basically put liens on private property like homes or businesses if they don't pay their tolls. You're also going to give police the power to stop without a warrant any vehicle they suspect may have some kind of device in their automobile, whatever that device may be, and you're also going to no longer give people the right to a hearing on a disputed toll.

Don't you think people would want to discuss or at least have hearings to see whether they agree with these dictatorial new powers you're giving this tolling corporation before you proceed without hearings on this bill?

**Hon Al Palladini (Minister of Transportation):** I would like to inform the honourable member that we are committed to keeping Highway 407 out of the deficit column. The legislation will ensure that we collect tolls that will pay for the 407. If it weren't for the tolls, the



highway wouldn't be there, so we had to have proper legislation in order to ensure that the success of the tolling is good. The mechanisms that we had to put in place were needed to ensure that everybody who uses number 407 is going to pay for it, not just the honest people.

**Mr Colle:** Talking about honest people, I just wonder: The minister just stated that he's going to make sure everybody's going to pay if they use the 407. He's going to put a lien on their house, put a lien on their business if they don't pay.

Now what I'm asking is, how are you going to make all the trucking firms that come from Quebec, that come from the United States—how are they going to be forced to pay? Because you know, Mr Minister, it's going to be very difficult to put a lien on their homes, to put a lien on their property because they won't obey those Ontario directives. So how are you going to make sure the trucks from Ohio, the commuters who are visiting Canada or the Quebec truckers pay as you're going to force everybody else to pay and have liens on their property? How are you going to do that?

**Hon Mr Palladini:** You would think the honourable member is actually believing that this is the first highway in the world that's going to be tolled. But the regulations that we have put in place are going to make sure that 407 will be a success.

As far as liens are concerned, we're talking about vehicles here, so we're not talking about liening somebody's house because they haven't paid their toll. The honourable member is fearmongering, as is the usual thing.

#### CLOSURE OF NURSING PROGRAM

**Mr Rob Sampson (Mississauga West):** My question is for the Minister of Education and Training. Yesterday, Sheridan College announced that it was closing its nursing and practical nursing programs as of May 1996. What is the minister's reaction to the end of this program?

**Hon John Snobelen (Minister of Education and Training):** I want to thank the member for Mississauga West for a question that I know is on the minds of a great many residents of Mississauga and other places in Ontario.

**Mrs Margaret Marland (Mississauga South):** Yes, me too, Mississauga South too.

**Hon Mr Snobelen:** There has been a lot of talk about program rationalization at our colleges and universities across Ontario, and this announcement is a good example of that kind of rationalization.

If I can share with the member and with this House some information on the nursing programs offered around the province of Ontario, nursing programs are currently offered at all 23 colleges; the annual first-year enrolment is about 2,800 students. This program, the cancellation of which was announced recently, is the smallest of these programs in the province.

There are practical nursing programs that are offered at 22 colleges, and nursing programs are offered by 10 universities. In answer to the honourable member's

question, in the view of this college, there are enough nursing programs around the province of Ontario to certainly exceed the need for nurses in the future.

**Mr Sampson:** Speaking on behalf of the residents of Mississauga West, and certainly the residents of Mississauga South as well, what can we tell our residents and the people who are attending that school about the accommodations that are being made for those who are currently enrolled in the nursing program?

**Hon Mr Snobelen:** To the honourable member for Mississauga West, and I know there is some concern in Mississauga South as well—I notice the member for Mississauga South is paying particular attention to this matter. I can assure both members that the president of the college, in its release recently, suggested that she will be speaking with students in ensuring that those students can get enrolled in other programs that are offered across the province.

Also in that release the president mentioned the commitment of the college to "go forward with programs of excellence, programs that serve the needs of their students, making sure that there are opportunities for those students on graduation."

I think it's a responsible move by the college and I believe that all the colleges and universities across the province of Ontario are looking at these kinds of rationalizations to make sure that we have an excellent post-secondary education system available to the students of Ontario.

#### JUNIOR KINDERGARTEN

**Mr Richard Patten (Ottawa Centre):** My question is for the Deputy Premier and Minister of Finance. I noticed in "Ontario's Fiscal Outlook"—it was not in the body of the speech, which I think in and of itself was significant—he addresses the area of junior kindergarten, and it says: "We must continue to reduce non-classroom costs, which account for at least 30% of education spending, and to develop necessary tools to achieve the savings. For example, as announced in the throne speech, legislation will be introduced to make junior kindergarten a local option." Can the minister confirm that he considers junior kindergarten to be a non-classroom expense?

**Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader):** With respect to matters educational, I would refer that matter to the Minister of Education.

**Hon John Snobelen (Minister of Education and Training):** As the member suggested, in the statement of the 29th there was reference made to non-classroom expenditures. This government is committed to reducing non-classroom expenditures and we have given examples of some of those: \$600 million in transportation costs; \$560 million in prep time; over \$1.2 billion in janitorial costs. We believe there are a variety of non-classroom expenses in the education system that can be reduced and should be reduced to bring the education system in Ontario at a level that represents a value to our taxpayers.

The Minister of Finance said in his statement of November 29 that Ontario spends \$1.3 billion over the national average on education in this province. We

believe there needs to be a better value for the taxpayers in the province of Ontario. Our promises and our commitments to the people of the province of Ontario on JK have been very specific and we have kept those commitments.

**Mr Patten:** The minister knows full well you didn't even answer the question, but I'll be seeing you in committee and I'll ask it again. I'm going to repeat what I just asked. You said, and you said this in your CSR, as you now refer to it, that you would not touch the classroom. We still don't even have a definition related to administration, but you would not touch the classroom.

My question is that if you're not prepared to cut the classroom how come you're cutting junior kindergarten? Do you not consider pulling out the funding for junior kindergarten to be affecting the classroom?

**Hon Mr Snobelen:** I look forward to meeting with the honourable member opposite in committee, because I look forward to addressing these questions more fully. And perhaps the member opposite is a little startled when a political party in this province keeps its promises. We have kept our promises to the people of Ontario on junior kindergarten.

We have said very specifically—let me spell this out, Mr Speaker, for the honourable member. In the Common Sense Revolution we said we would review junior kindergarten, and we are. We said we would make junior kindergarten a local option for local boards.

#### VISITOR

**The Speaker (Hon Allan K. McLean):** I'd like to draw to the members' attention that we have a guest in the west gallery, a former member, Joan Fawcett from Northumberland. Welcome, Joan.

#### ADJOURNMENT MOTION

**Mr James J. Bradley (St Catharines):** Mr Speaker, I move the adjournment of the House.

**The Speaker (Hon Allan K. McLean):** Mr Bradley has moved the adjournment of the House.

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the nays have it.

There will be a 30-minute bell.

*The division bells rang from 1633 to 1703.*

**The Deputy Speaker (Mr Bert Johnson):** On the motion to adjourn by the member for St Catharines, all those in favour will please rise and stay standing.

Those opposed, rise and stay standing.

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 38, the nays 58.

**The Deputy Speaker:** I declare the motion lost.

#### PETITIONS

#### MINISTER'S COMMENTS

**Ms Frances Lankin (Beaches-Woodbine):** I have a petition to the Legislative Assembly of Ontario.

"Whereas six women present at a meeting held by the minister responsible for women's issues, Dianne Cunningham, at her constituency office on October 25, 1995, agree that they heard the minister state, 'Within the

context of this government, you need to understand that groups or agencies that are seen not to be working with this government, providing an oppositional voice...will be audited and their funding eliminated'; and

"Whereas the minister responsible for women's issues denies having made this statement;

"We, the undersigned, request that the government establish a legislative committee to determine whether the minister responsible for women's issues abused her authority as a minister of the crown by making threatening and intimidating remarks at the meeting described above."

There are over 300 signatures from my riding, and I have affixed my signature to this petition as well.

**The Deputy Speaker (Mr Bert Johnson):** The Chair recognizes the member for Parkdale.

**Mr Tony Ruprecht (Parkdale):** Mr Speaker—

**Interjection:** Rotation.

**The Deputy Speaker:** I've been corrected that I go in rotation. The Chair recognizes the member for York Mills.

#### ORDER OF BUSINESS

**Mr David Turnbull (York Mills):** I move that the House do now proceed to orders of the day.

**The Deputy Speaker (Mr Bert Johnson):** Shall the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

There will be a 30-minute bell.

*The division bells rang from 1706 to 1736.*

**The Deputy Speaker:** By way of a short explanation, we were on the business of petitions, and they go in rotation from the official opposition to the third party to the government.

**Mr James J. Bradley (St Catharines):** You recognized the member for Parkdale at that time.

**The Deputy Speaker:** I properly recognized the member but unceremoniously went to the member for Beaches-Woodbine. I apologize to the member for Parkdale.

On the vote on the motion by the member for York Mills, all those in favour of the motion please stand and stay standing.

All those opposed please stand and stay standing.

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 59, the nays 39.

**The Deputy Speaker:** I declare the motion carried.

Orders of the day.

**Hon Jim Wilson (Minister of Health):** The seventh order, Mr Speaker.

**Mr Tony Ruprecht (Parkdale):** A point of order, Mr Speaker.

**The Deputy Speaker:** The Chair recognizes the member for Parkdale on a point of order.

**Mr Ruprecht:** I certainly appreciate the applause from the government side, who will recognize that this is



a very strange place today indeed. I'm happy, Mr Speaker, that you do recognize me.

While your explanation was somewhat odd, might I say that you had already recognized me first and then suddenly interrupted me and shifted to recognize the leader of the government side. I would like to have at least some explanation from you of why you did that. You simply explained earlier what happened to Mr Bradley and why he was not recognized, but you failed to explain why you didn't recognize me at the time and you shifted to the leader of the House.

**The Deputy Speaker:** I'd be happy to explain. I wasn't in the chair when the member for St Catharines used his turn in rotation, so I was corrected by the members at the Clerk's table that I was not following the correct rotation.

**Mr Ruprecht:** That was not my point of order. My point of order is that you had recognized me and I was in the middle of my petition. Then you suddenly moved away from recognizing me and recognized the leader of the governing party. That's what I would like to have explained to me: that you suddenly shifted from recognizing me to the leader of the House.

**The Deputy Speaker:** It is in rotation.

**Ms Frances Lankin (Beaches-Woodbine):** On the same point of order, Mr Speaker: In support of my colleague, I have to indicate that you were back in the chair and you recognized me on a petition. I introduced the petition. You then proceeded to recognize the member who just rose on a point of order. Perhaps you're indicating that you should have gone in rotation, but Mr Speaker, once a member in this House has risen and has been duly recognized, you have a responsibility to proceed on that and not turn around every time a minister of the government speaks to the Chair and gives instructions catered to the government's wishes, which is what's been happening in this House for the last week.

**The Deputy Speaker:** The Chair recognizes that I made an error. I apologized for it and I think we should proceed. The Chair recognizes the member for Simcoe West.

**Hon Mr Wilson:** I move second reading of Bill 26.

**Mr David S. Cooke (Windsor-Riverside):** On a point of order, Mr Speaker: You'll find that it's easier to run the place if you look at both sides of the floor, much easier.

Mr Speaker, this afternoon during question period the government House leader was asked several questions with regard to how he intends to proceed with Bill 26. He indicated very clearly in the House that he would not negotiate in public or in question period because he intended to have a meeting with the opposition House leaders and he wanted to discuss that.

Even though the government House leader isn't here, I am sure he would want to correct the record by indicating that he sent a letter to the press, to the entire gallery. He did not offer to negotiate with the opposition House

leaders. He put an offer to us in writing that would ram Bill 26 through the House before Christmas and thus changes nothing. It's clear what the government House leader did this afternoon is lie to the House. There's no doubt about that at all.

**The Deputy Speaker:** Would the member for Windsor-Riverside withdraw the unparliamentary remarks.

**Mr Cooke:** I want to be here to debate Bill 26. As a result—

**The Deputy Speaker:** Would the member please withdraw his remarks.

*Interjections.*

**Mr Cooke:** I did.

**Mr Bradley:** On a point of privilege, Mr Speaker: Clearly the privileges of the members of the opposition, if not all members of the House, have been affected by a statement which was made in the House by the government House leader today.

There was an undertaking that I heard, that I think all members of this House heard, that the two House leaders for the opposition—he said it in the House—would be contacted by his office and a meeting would be established to discuss the future of Bill 26, for the purpose of finding a timetable and agreement which would allow the government to proceed with any components of that bill.

Instead we have, without any meeting, a letter which has arrived which is contrary to what the member has had to say in this House, an undertaking he has given. Clearly the privileges of the opposition have been adversely affected by the statement which was made in the House by the government House leader.

**Mrs Elinor Caplan (Oriole):** A point of privilege? Thank you, Mr Speaker.

**The Deputy Speaker:** I would like to know the reason for the member for Beaches-Woodbine to be standing.

**Ms Lankin:** Mr Speaker, I'm sorry, I didn't hear you, but I move adjournment of the House.

**The Deputy Speaker:** On a point of order, I'll not accept that motion. The Chair recognizes the member for Oriole on a point of privilege.

**Mrs Caplan:** I would seek the guidance of the Speaker as to whether this is a point of order or a point of privilege. I feel it is both.

When Bill 26 was tabled, I was in the lockup. I was locked up by the government. The government House leader today says that in accordance with procedures of this House and the orders of this House, critics were given copies of the legislation at that time in a timely manner.

**The Deputy Speaker:** Would the member please take her seat. The Speaker has already ruled on that in this House today.

*Report continues in volume B.*

# LEGISLATIVE ASSEMBLY OF ONTARIO ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lieutenant Governor / Lieutenant-gouverneur: Lt Col The Hon / L'hon Henry N.R. Jackman CM, KStJ, BA, LLB, LLD

Speaker / Président: Hon / L'hon Allan K. McLean

Clerk / Greffier: Claude L. DesRosiers

Senior Clerk Assistant and Clerk of Journals / Greffier adjoint principal et Greffier des journaux: Alex D. McFedries

Clerk Assistant and Clerk of Committees / Greffière adjointe et Greffière des comités: Deborah Deller

Sergeant at Arms / Sergent d'armes: Thomas Stelling

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma	Wildman, Bud (ND)	Hastings-Peterborough	Danford, Harry (PC)
Algoma-Manitoulin	Brown, Michael A. (L)	High Park-Swansea	Shea, Derwyn (PC)
Beaches-Woodbine	Lankin, Frances (ND)	Huron	Johns, Helen (PC)
Brampton North / -Nord	Spina, Joseph (PC)	Kenora	Miclash, Frank (L)
Brampton South / -Sud	Clement, Tony (PC)	Kingston and The Islands / Kingston et Les Îles	Gerretsen, John (L)
Brant-Haldimand	Preston, Peter L. (PC)	Kitchener	Wettlaufer, Wayne (PC)
Brantford	Johnson, Ron (PC)	Kitchener-Wilmot	Leadston, Gary L. (PC)
Bruce	Fisher, Barb (PC)	Lake Nipigon / Lac-Nipigon	Pouliot, Gilles (ND)
Burlington South / -Sud	<b>Jackson, Hon / L'hon Cameron</b> (PC) Minister without Portfolio (Workers' Compensation Board) / ministre sans portefeuille, ministre responsable de la Commission des accidents du travail	Lambton	Beaubien, Marcel (PC)
Cambridge	Martiniuk, Gerry (PC)	Lanark-Renfrew	Jordan, Leo (PC)
Carleton	<b>Sterling, Hon / L'hon Norman W.</b> (PC) Minister of Consumer and Commercial Relations / ministre de la Consommation et du Commerce	Lawrence	Cordiano, Joseph (L)
Carleton East / -Est	Morin, Gilles E. (L)	Leeds-Grenville	<b>Runciman, Hon / L'hon Robert W.</b> (PC) Solicitor General and Minister of Correctional Services / solliciteur général et ministre des Services correctionnels
Chatham-Kent	Carroll, Jack (PC)	Lincoln	Sheehan, Frank (PC)
Cochrane North / -Nord	Wood, Len (ND)	London Centre / -Centre	Boyd, Marion (ND)
Cochrane South / -Sud	Bisson, Gilles (ND)	London North / -Nord	<b>Cunningham, Hon / L'hon Dianne</b> (PC) Minister of Intergovernmental Affairs, minister responsible for women's issues / ministre des Affaires intergouvernementales, ministre déléguée à la Condition féminine
Cornwall	Cleary, John C. (L)	London South / -Sud	Wood, Bob (PC)
Don Mills	<b>Johnson, Hon / L'hon David</b> (PC) Chair of the Management Board of Cabinet / président du Conseil de gestion	Markham	<b>Tsubouchi, Hon / L'hon David H.</b> (PC) Minister of Community and Social Services / ministre des Services sociaux et communautaires
Dovercourt	Silipo, Tony (ND)	Middlesex	Smith, Bruce (PC)
Downsview	Castrilli, Annamarie (L)	Mississauga East / -Est	DeFaria, Carl (PC)
Dufferin-Peel	Tilson, David (PC)	Mississauga North / -Nord	<b>Snobelen, Hon / L'hon John</b> (PC) Minister of Education and Training / ministère de l'Éducation et de la Formation
Durham Centre / -Centre	Flaherty, Jim (PC)	Mississauga South / -Sud	Marland, Margaret (PC)
Durham East / -Est	O'Toole, John R. (PC)	Mississauga West / -Ouest	Sampson, Rob (PC)
Durham West / -Ouest	Ecker, Janet (PC)	Muskoka-Georgian Bay / Muskoka-Baie-Georgienne	Grimmett, Bill (PC)
Durham-York	Munro, Julia (PC)	Nepean	Baird, John R. (PC)
Eglinton	<b>Saunderson, Hon / L'hon William</b> (PC) Minister of Economic Development, Trade and Tourism / ministre du Développement économique, du Commerce et du Tourisme	Niagara Falls	Maves, Bart (PC)
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A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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First Session, 36th Parliament

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Première session, 36<sup>e</sup> législature

## Official Report of Debates (Hansard)

## Journal des débats (Hansard)

Tuesday 5 December 1995

Mardi 5 décembre 1995



Speaker  
Honourable Allan K. McLean

Président  
L'honorable Allan K. McLean

Clerk  
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# LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 5 December 1995

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 5 décembre 1995

*Report continued from volume A.*

## SAVINGS AND RESTRUCTURING ACT, 1995

### LOI DE 1995 SUR LES ÉCONOMIES ET LA RESTRUCTURATION

Mr Wilson moved second reading of the following bill:

Bill 26, An Act to achieve Fiscal Savings and to promote Economic Prosperity through Public Sector Restructuring, Streamlining and Efficiency and to implement other aspects of the Government's Economic Agenda / Loi visant à réaliser des économies budgétaires et à favoriser la prospérité économique par la restructuration, la rationalisation et l'efficacité du secteur public et visant à mettre en oeuvre d'autres aspects du programme économique du gouvernement.

*Interjections.*

**The Deputy Speaker (Mr Bert Johnson):** Would the members take their seats, please.

The Chair recognizes this as grave disorder and I declare a 10-minute recess.

*The House recessed from 1753 to 1803.*

**The Speaker (Hon Allan K. McLean):** The member for Oriole on a point of order.

**Mrs Elinor Caplan (Oriole):** Thank you, Mr Speaker. I ask that you hear my point of order before you rule. As I started to say, when Bill 26 was tabled, as Health critic I was locked up, as other members were, and I know you ruled on that part of it. However, earlier today the government House leader said that in accordance with the procedures the critics all received copies of Bill 26, that they were tabled.

I have to tell you, Mr Speaker, today we have the Minister of Health leading off on Bill 26, which I have been saying very clearly has enormous implications and in fact is a health bill.

**Hon Charles Harnick (Attorney General, minister responsible for native affairs):** Where is the point of order, Elinor?

**Mrs Caplan:** The point of order and the point of privilege is, I never received my copy or a copy or any copy of Bill 26 at the time that it was tabled, while I was in the lockup. According to procedures of the House, the critics should receive the bill. I did not receive the bill—

**Interjection:** It's a budget bill; what are you doing here?

**Mrs Caplan:** This is far more than a budget bill, where only the Finance critic and the leader of the official opposition should receive this bill.

The fact that the Minister of Health is leading off the debate for the government says that this is not just a budget bill, and I should have received, as Health critic, a copy of this bill and all of the bills that were affected

by this. I feel not only have my privileges as a member been breached by my inability to fully speak to this bill on first reading, to have the copy of Bill 26 promptly as is my due, I also believe that it is a significant point of order that the government House leader and the ministers of the crown are not providing the critics who have responsibility for the significant components of this bill. Therefore, Mr Speaker, I ask you to rule on that point of order.

**Ms Frances Lankin (Beaches-Woodbine):** On a point of order, Mr Speaker: I have two points of order that I would like to raise with you. They both deal with issues that took place immediately before the last recess, when I realize you weren't in the chair. Both points of order, I think, are relevant to the issue of what we proceed with in this House for this evening, and I would ask that you listen to the two points of order and I will be requesting that you recess to rule on these points of order.

The first point of order, if I can just relay the history on this: There was a motion by the member for York Mills to move to orders of the day. There was a division on that motion and a 30-minute bell. When the members returned from that, we resumed the vote. The Chair, at the time, gave an indication that in fact he had made an error in recognizing members in rotation. For your edification, before the vote, I had been recognized in delivering a petition; the member for Parkdale had been recognized. The Chair then changed his position and asked the member for Parkdale to sit down and recognized the member for York Mills, who moved the motion to move to orders of the day.

When we returned, he was about to call the vote and he gave an explanation at that point in time in terms of what had happened; in a sense, an apology. The member for Parkdale rose at that point in time on a point of privilege and was not recognized. The Deputy Speaker proceeded with the vote at that point in time. At the conclusion of the vote—and this is the point that is, I believe, relevant—the member for Parkdale and a number of other members on this side of the House rose on points of privilege and points of order. The Minister of Health also rose in order to move to orders of the day and to move the motion to introduce Bill 26 on second reading.

Flowing from the Deputy Speaker's comments, which I think were potentially out of order in themselves in the middle of a vote, but irrespective of that, there were points of privilege which should have been recognized immediately, if not the points of order. I understand your earlier ruling about the Chair having discretion on when to recognize points of order. Points of privilege directly related to that were on the floor. The Chair heard, looked,



ignored and moved over to recognize the Minister of Health to introduce Bill 26 for second reading.

I believe that this bill has not been properly introduced, that in fact the actions of the Deputy Speaker were out of order. We've already had one or two apologies from him already on the way in which he has conducted business. I understand that he's learning, but I believe profoundly that this bill has not yet been properly introduced, and I think that it is critical for us to know that before we are able to proceed with orders of the day and the rest of the debate this afternoon.

The second point of order is with respect to a point of order from our House leader, the member for Windsor-Riverside, and this point was not ruled on by the Deputy Speaker. It is true, during the course of the member for Windsor-Riverside's comments, he used unparliamentary language. He was asked to withdraw. He did withdraw and the Speaker went on to other business and neglected at that point to give any ruling on the point of order that had been raised or on in fact to suggest that it was or wasn't a point of order.

The point that had been raised goes back to when you were in the chair this afternoon, and you will remember, in terms of your ruling and through points during question period, that you, in fact, said you were without the tools to deal with the complaints and the legitimate grievances of the opposition parties here with respect to how this omnibus bill is being proceeded with, with respect to Bill 26 and the government's intentions.

1810

You have indicated that you are unable to do that, that it is a matter between House leaders, and I believe by your comments you encouraged House leaders to meet and to resolve this issue.

Mr Speaker, as a result of that, and as a result of actions taken in the House and questions and whatever that transpired this afternoon, the government House leader gave a commitment—and I believe you were in the chair at the time—that he would not in fact—

**Hon Mr Harnick:** Where is the point of order?

**Ms Lankin:** Mr Speaker, my point of order is with respect to the member's comments. I have to relate them to you. You weren't here at the time. He gave a commitment, in fact said he wouldn't negotiate in public, that he was going to meet directly with the House leaders, and I believe you are aware of what has transpired: Two minutes before we came in for a vote, a letter was delivered to the press, to the opposition House leaders; in fact, the negotiations in public—not even negotiations, an ultimatum, a fiat.

Mr Speaker, we do not have access to resolving this issue. The House just very recently recessed as a result of grave disorder. We require assistance to bring resolution to this very serious matter facing this House and the rights and privileges of members and, more importantly, the rights and privileges of people of Ontario with respect to having a democratic say and input on a major piece of legislation.

Mr Speaker, I request of you, I plead with you, to recess this House and to call a meeting of the three

House leaders to facilitate that discussion. I have asked you to recess on the first point of order. It is necessary for us to know your ruling on that before we know whether the bill has properly been introduced and we can proceed at this point in time to debate on that order of the day, and during that I ask you to review my request to please, please bring the House leaders together. There are many of us in this House who want to proceed with doing business, and we have to have your assistance.

**Hon Mr Harnick:** Mr Speaker, on the same point of order: With respect to the member for Beaches-Woodbine's second point of order, discussions between House leaders are not anything that involve the standing orders, and that is not a proper point of order. There is no standing order that deals with negotiations between House leaders. That is not a proper point of order.

With respect to the other point of order, following question period we moved into petitions. The opposition House leader stood up and moved, when the rotation came to him, adjournment of the House. We then returned and that motion was defeated. The Speaker then recognized the member for Beaches-Woodbine, who put in her petition. And after we went there, we went here, and the member for York Mills was recognized. The member for York Mills moved that we move to orders of the day and that motion was duly carried, and we are now at orders of the day. That is what's happened, Mr Speaker, and that's been the—

**The Speaker:** Order. I don't know whether members have the rules of order of this House at their desks, but we have been continually debating the rules of order, continually debating my ruling, and I don't believe we want to continue with that.

New point of order, the member for Parkdale.

**Mr Ruprecht:** I don't think the Attorney General's got this straight at all. I'm really surprised at his statement.

Mr Speaker, my point of order is simply this: I was recognized. As you know, you have to consult the record. Have a look at Hansard and see what it says so that you have a straight account, not what the Attorney General tells you, because he's got this wrong 100%. There's no question about that whatsoever, and I can't see how he can stand up in his place and tell us that account. It simply is not correct.

My point is this: I was recognized and consequently I had the floor. Suddenly the Speaker shifts and recognizes the government House leader. Consequently, how can Bill 26 be officially introduced when you have one other member recognized on a point of order? I would therefore submit to you, Mr Speaker, that you should consider adjourning the House to look at the record so we can get on with the business of the House.

**The Speaker:** When there is a mistake made in rotation—and it has been made this afternoon, as you indicate—it was corrected. It is a matter for the House leaders to resolve the dispute that's going on.

**Mr Monte Kwinter (Wilson Heights):** On a point of order, Mr Speaker: I agree with your ruling that when there is a mistake in the rotation it can be corrected. But

what I think you haven't taken into consideration is that once a member has the floor, he has the floor. When he is finished, then you can correct the mistake by rearranging the order, but I don't think you can rearrange the order while the member has the floor. He has the floor and I don't think there's a provision where you can take that away from him to give it to someone else. I would appreciate your ruling on that.

**Mr Gerry Phillips (Scarborough-Agincourt):** Mr Speaker, on a point of privilege: I hope to convince you that the government House leader this afternoon disobeyed what I thought were your instructions to the House.

It was very clear, in listening to your ruling today, that you regard this bill as large, comprehensive, far-ranging, containing many aspects that will affect virtually everybody in this province. I sensed in your remarks that you had sympathy for the opposition in that we are unable to get a reasoned public debate around this extremely comprehensive bill. I would say to the people of Ontario that it will touch every single person.

We rely on you, the people of Ontario rely on you to provide us in the opposition with some fairness and some legitimate debate. What you said today was that unfortunately your hands were tied, and you instructed the government House leader to meet and to resolve this issue with the other House leaders.

In fact, the government House leader said in the House that he would arrange that meeting, yet we've found he arranged no such meeting. The government is anxious to begin debate on the bill with that meeting never having taken place. We had no meeting with the government House leader, as he promised, and—

**The Speaker:** Order. You indicated that I instructed somebody to do something. I didn't instruct anybody to do anything. I said I would encourage the House leaders to get together to resolve their differences. There is a difference between instructing and encouraging.

**Mr Phillips:** With all due respect, Mr Speaker, if I could finish my point of privilege, we had no meeting. He issued a directive, an ultimatum to us. He said: "Take it or leave it. No meeting."

Mr Speaker, you have some obligation to us. We need your help. The government House leader sends out an ultimatum, says, "This is it," and you want to begin debate now on this bill, without that meeting ever having taken place?

I took from your ruling today that you were instructing the government House leader to meet. No such meeting took place, and you say your hands are tied. In my opinion, the direction you gave was not fulfilled and I think my privileges have been breached. There is no opportunity for legitimate debate on this bill, and in my opinion the government House leader has not carried out your instructions. I see no reason why you shouldn't now take the matter into your hands and instruct them to meet to work out a reasonable solution on this, Mr Speaker.

1820

**The Speaker:** The member for York South, same point of order?

**Mr Bob Rae (York South):** Mr Speaker, under standing order 13 you have an obligation to preserve order and decorum and to decide questions of privilege and points of order. I would say to you, with the deepest of respect, that if you don't take note here of what has been happening over the last several days and understand that this House is on the edge of a very serious collapse in terms of its capacity to make decisions and in terms of coming to order, then, sir, you and I are living in a different universe and you and I are living in a different House.

This government is introducing legislation—

*Interjections.*

**Mr Rae:** I say with great respect to the members who are heckling me, you don't have a clue what's in the bill. You don't know what you're doing and you don't have any understanding of what's at stake here. You probably haven't even read it.

*Interjections.*

**Mr Rae:** I say with respect to the members who are heckling now, whose municipalities are about to be restructured—

**Hon Mr Harnick:** If you feel that strongly, start debating it.

**The Speaker:** The member for Willowdale is out of order.

**Mr Rae:** —we've been told, without so much as due process of any kind whatsoever.

Mr Speaker, you have heard us state very clearly and categorically that if you are not prepared to make the rulings which we asked you to make last week—you then came into the House and said you can't make the rulings because you didn't feel you have the jurisdiction to deal with the issue of the content of the omnibus bill.

I'm saying to you in response to that, we had a clear statement from the government House leader, we had a clear statement from the leader of the official opposition, we had a clear statement from the House leader for the official opposition and from the House leader for our own party that people were prepared to meet to discuss this question.

There was no such meeting. There was an ultimatum from the House leader. He was in the House here being conciliatory and being open and saying all the things he was going to do. He then walks out of this place and he has somebody type out a letter, and the letter is then given to the press gallery that very instant, given to the public, and then given to members of the opposition. It is not a serious position with respect to negotiations.

You can take note of the fact that there are no negotiations and no discussions. There is nothing going on which brings us back from the brink of disorder with respect to this particular piece of legislation. You should take note, sir, of the fact that there cannot be order and decorum in this House so long as this government refuses to discuss with the members of the opposition how we are going to deal with a bill which gives such dictatorial powers.

Mr Speaker, history will record. Every revolution in history has ended in a dictatorship. The Common Sense



Revolution is ending in a Common Sense Dictatorship. That's exactly what we've got.

**Mr Tony Clement (Brampton South):** On a point of privilege, Mr Speaker: As someone who had family who were victims of dictatorships, I resent the honourable member's remarks. On the point of privilege, Mr Speaker, I as an honourable member have rights and obligations as well. According to the standing orders, there should not be any needless repetition. According to the standing orders, there should not be abusive language. I have an obligation to my constituents, we all have obligations to our constituents, to carry out honest debate, which is being stymied by the honourable member and by the honourable Leader of the Opposition.

I request that you, Mr Speaker, on my point of privilege, rule that there has been endless repetition and that there has been abusive language, and we should carry on with what the people of Ontario elected this government to do.

**Mr David S. Cooke (Windsor-Riverside):** On a point of order, Mr Speaker: When you came into this position as Speaker of the Legislature, you made a point of saying that you wanted to maintain decorum, wanted this place to operate in a different way than it has for the last several years, and that you were going to provide the leadership to see that would happen.

The standing order my leader has referred to gives you the power to recess the House and call the House leaders together to try to find a solution to this impasse. If you want to show that leadership, you can do that. It would not be a precedent. It has happened.

What we in the opposition are asking you is to simply recess the House, call the three House leaders together and let's try to find a solution. That's your job; that's your responsibility. I can speak for my caucus and for myself as the House leader for my party. If you convene a meeting, I will be there in a sincere attempt to find a solution. If it isn't found, if there isn't an attempt, we've already had grave disorder once; it will happen again.

**Hon Noble Villeneuve (Minister of Agriculture, Food and Rural Affairs, minister responsible for francophone affairs):** That's a threat. "My way or the highway."

**Mr Cooke:** Mr Speaker, that was not an accusatory statement, that was not a threat. That is a reality. We are at an impasse in the Legislature. You are the only person who can mediate a solution. I'm asking you to accept your responsibility and take the leadership.

**Mr Alvin Curling (Scarborough North):** Earlier today my House leader got up in the House and tried to resolve a matter that, as you see, has come to an impasse like this. The House leader on the government side specifically stated that he refused to discuss or negotiate in public to resolve this matter. He's prepared to meet with—

**Hon Norman W. Sterling (Minister of Consumer and Commercial Relations):** What's the point of order? There's no point of order.

**Mr David Ramsay (Timiskaming):** Shut up, Norm. Shut up. He's speaking.

*Interjections.*

**The Speaker:** Order.

*The House recessed from 1827 to 1837.*

**Mr Curling:** Mr Speaker, in order to settle this matter, my leader requested that the government House leader explain to them what procedure we were going to use to debate this bill, and he said he refused to debate this in public and would meet with the three leaders, the other two House leaders, to resolve the matter. While the bell was ringing and what have you, I thought there was an opportunity for those House leaders to meet.

Mr Speaker, I would ask you to assist me in this, because I feel that my privilege was being denied in the fact that while this was happening, the House leader of the government side, Mr Eves, released a letter to the press and stated emphatically what he wants to do without any meeting at all. The last part of the letter states, "I would be pleased to meet with you to discuss this matter further," after the press had gotten it.

If you don't regard that my rights and my privileges are being denied—I'd like you to rule on that matter.

**Mr Howard Hampton (Rainy River):** Mr Speaker, mine is really a point of privilege, and I want to refer you to House rule 1(b), "In all contingencies not provided for in the standing orders the question shall be decided by the Speaker or the Chair, and in making the ruling the Speaker or Chair shall base the decision on the usages and precedents of the Legislature and parliamentary tradition."

I also want to refer you to 21(a): "Privileges are the rights enjoyed by the House collectively and by the members of the House individually conferred by the Legislative Assembly Act and other statutes, or by practice, precedent, usage and custom."

Mr Speaker, I also want to refer, in terms of usage and custom, to Erskine May, Parliamentary Practice, 21st edition. I quote from page 115, dealing with contempt, and I hope you're listening to this, because I think it's a very serious matter:

"Generally speaking, any act or omission which obstructs or impedes either House of Parliament in the performance of its functions, or which obstructs or impedes any member or officer of such House in the discharge of his duty, or which has a tendency, directly or indirectly, to produce such results may be treated as a contempt even though there is no precedent of this offence."

Erskine May, if I may quote further, the second paragraph on page 115:

"Any disorderly, contumacious or disrespectful conduct in the presence of either House or a committee will constitute a contempt, which may be committed by strangers, parties or witnesses."

I then want to turn to page 119, and I would ask you to look at the Instant Hansard of today. I believe what the Instant Hansard says is that there was a representation given in this House by the government House leader that the House leaders would meet. That was the undertaking that was given to all the members in this House.

This is what Erskine May says:

"Members deliberately misleading the House

"The Commons may treat the making of a deliberately misleading statement as a contempt."

Mr Speaker, an undertaking was given in this House. It is on the record of this House. Then, instead of a meeting taking place, which would show respect for this House and follow up on the undertaking given in this House, a letter was sent to the press. In fact, we have it that the media received this letter before either of the opposition House leaders. There was no meeting that took place.

I've checked and I do not see in our own rules where this type of specific incident may be covered. I would ask you, Speaker, in view of parliamentary practice as at least set down by Erskine May, if we have not had a situation here which obstructs or impedes the House, which obstructs and impedes members of the House in the discharge and which has a tendency directly or indirectly to produce such results?

I believe we have had a situation which is disorderly, which is disrespectful to the House, which contributes to disorder of this House and which constitutes contempt for this House. I believe that my privileges as a member and the privileges collectively of all these members have been infringed by the conduct which has taken place here today, and the failure of the government House leader to live up to the undertaking that was given in this House and is on the record of this House.

**Hon Mr Sterling:** On the same point of order, Mr Speaker: We are now 33 minutes into the second reading debate on Bill 26.

**Interjections:** No, we're not.

**Hon Mr Sterling:** We are.

*Interjections.*

**Hon Mr Sterling:** Mr Speaker, are we in second reading on Bill 26? The clock is running. The Minister of Health wants to make his statement with regard to this bill. I believe his privileges are being abrogated by this endless number of points of privilege and points of order.

**Ms Lankin:** Mr Speaker, I'm going to ask you to rule on the point of order that I raised earlier. With respect, I think that you either did not rule on it or that you misunderstood the point that I made. It is with respect to a grave error made by the Deputy Speaker when he was in the chair, not the minor error which you referred to, which was recognizing members out of rotation, for which he apologized.

I think it is incumbent upon you to recess and review the record, because my point of order goes directly to whether or not we may proceed at this point with orders of the day and whether or not, as the member for Carleton just raised, there has been a second reading introduction of Bill 26.

Upon returning to the House after the motion to move to orders of the day, and after the conducting of the vote, the Deputy Speaker in the chair looked to this side of the House after calls from the member for Parkdale and a number of other members of points of privilege and

points of order. I've already spoken to the points of order. I understand that the Chair at that point may determine not to recognize them and/or when to recognize them. The points of privilege must be recognized immediately as they are raised. He looked to the member for Parkdale, who raised the point of privilege, and from other members on the front bench, looked to the members who are here, who are confirming exactly what I said. He then, upon calls from the government side, turned and looked at and recognized the Minister of Health for introduction of the bill.

An error was made. That point of privilege should have been recognized. Those points are being continuously dealt with in this House. That bill has not been properly introduced. We cannot proceed at this point in time, with the time on the clock and with orders of the day, until there is a ruling on this. It is my respectful submission that the bill has not yet been introduced. I think this is critical to the opportunity for the House leaders to get together and to be able to resolve this.

**The Speaker:** The House adjourns for five minutes until I make my decision.

*The House recessed from 1848 to 1853.*

**The Speaker:** Will members take their seats, please. I have listened carefully to all points of order raised. I'm aware of what has happened in this House today. I have listened carefully to the various points and I've found that there is nothing out of order. We're in the second reading debate of Bill 26 and the minister, who has been recognized, has the floor.

As to the matter of discussion with the House leaders, that is up to them to pursue. I recognize the Minister of Health.

**Hon Jim Wilson (Minister of Health):** Thank you, Mr Speaker. It should be of interest to the people of Ontario who have watched this debate tonight, or the lack of debate, that it's been almost a year since—

*Interjections.*

**The Speaker:** Order. Order. A 10-minute recess.

*The House recessed from 1855 to 1905.*

**Mrs Lyn McLeod (Leader of the Opposition):** Point of order, Mr Speaker.

**The Speaker:** The Leader of the Opposition on a point of order.

**Mrs McLeod:** Mr Speaker, I understand that as you returned to the House after the last recess, you made a ruling on a point of order. It's also my understanding that I can ask—I cannot challenge your ruling, nor would I—for an explanation.

You came back to this House and you basically said on a very well established point of order by the member for Beaches-Woodbine that you had reviewed all points of order. There was one point of order before you at that time, one point of order on which you recessed the House to give due consideration. You indicated that you had reviewed all points of order and that you found nothing out of order.

Mr Speaker, I think this House deserves an explanation of the ruling you've brought forward. There was a very



specific point of order raised by the member for Beaches-Woodbine. The point of order directly affects whether or not the clock should be ticking, whether or not the debate on second reading of Bill 26 has begun, whether in fact Bill 26 has been introduced.

The member for Parkdale was on his feet with a point of order and was not recognized—

**Interjections:** A point of privilege.

**Mrs McLeod:** —on a point of privilege. The vote was taken and the Speaker in the chair at that time, the Deputy Speaker, went on to recognize the Minister of Health, who then introduced Bill 26 while the Deputy Speaker continued to refuse to recognize the member for Parkdale. Clearly, the Deputy Speaker was somewhat confused because the Deputy Speaker later on asks for assistance as to whether or not he can indeed recognize the member for Parkdale.

You know, Mr Speaker, that under the rules of order of this place not only could he recognize the member for Parkdale, he was obligated to recognize the member for Parkdale.

I know the Deputy Speaker has offered a verbal apology to the member for Parkdale, but an apology is not good enough when this government is taking the kind of action it is taking today to bring in a piece of legislation which it is impossible to debate, when the member for Brampton South says, "Let's get on and have an honest debate so that we can do what the public wants us to do," and I say that there can be no honest debate in this place today, that there is no possibility to do what the public wants us to do, because the public has no idea what's in this bill, nor does any member of the House opposite except for a handful of very select ministers who worked in secret to develop this bill.

Mr Speaker, an apology is not good enough, nor is it good enough for you to return to this House on a duly established point of order which you took as valid, recessed to consider and return to this House only to say you had considered all points of order and there was nothing out of order.

Mr Speaker, we are owed more than an apology and we are owed by you an explanation of exactly why you have ruled in this way.

**The Speaker:** The member for Parkdale on a point of order.

**Mr Ruprecht:** Mr Speaker, you had indicated when you returned that you had looked at all the various points of order and privilege and that there was nothing out of order. I refer you now to the Instant Hansard and I would like to ask you whether you had consulted and looked at the Instant Hansard, because if you had, you would have seen that the Deputy Speaker, Mr Bert Johnson—it says here in Instant Hansard, it is clear for the table and for the government and for you to see, "The Chair recognizes the member for Parkdale."

Then the member for Parkdale says, "Mr Speaker, I would like to"—at that point I was interrupted by the Speaker and he then suddenly, for some strange reason, I don't know why, moved to recognize the government House leader.

If that is not a breach of order, it's certainly a breach of privilege. I would look to you that, certainly as a defender of the people of Ontario, you must show or certainly you should exercise some sense of fairness to justify the decision that you're making. We're asking you today not only to be fair, but to look at the point of order that was breached, and I'm asking you directly whether you have looked at Hansard and recognized whether the member for Parkdale was indeed recognized or not.

My question to you then is, have you seen this? Have you looked at it and have you consulted with the Chair about this?

**The Speaker:** The member for Burlington South on a point of personal privilege.

**Hon Cameron Jackson (Minister without Portfolio [Workers' Compensation Board]):** If I may, on a point of personal privilege, I want to set aside the cut and thrust of the debate that is occurring at the moment and only make reference to the question that when my colleague from Brampton South rose to make reference to his ancestry and some of his concerns and convictions about the procedures, the member for Hamilton East made an offensive reference and I ask the member opposite if he would withdraw the comment.

I gave the member ample opportunity. There is a long series of rulings in this House that the reference to that word is unparliamentary and it is a personal effrontery to someone who has Jewish ancestry in this House, and I would ask the member if he would please do the decent thing and withdraw that reference.

**The Speaker:** The member for Beaches-Woodbine.

**Ms Lankin:** I need your guidance, Mr Speaker. I realize you ruled earlier that there was nothing out of order and I do not wish to appeal that. I'm asking for clarification—

*Interjections.*

**The Speaker:** Order.

**Ms Lankin:** I'm asking for clarification and an explanation because—

**Mr James J. Bradley (St Catharines):** Some of the stuff—you have the nerve to—

**The Speaker:** Order. The member for St Catharines is out of order.

**Mr Bradley:** You've got a bloody lot of nerve.

**The Speaker:** Order, the member for St Catharines.

*Interjections.*

**Ms Lankin:** Mr Speaker, the reason I feel compelled to arise and very briefly try one more time to explain my point is because I believe others who have contributed to the debate have in fact confused my point of order or misinterpreted it and have not been of assistance in getting a clear ruling from you.

Mr Speaker, in the Instant Hansard, if I can refer to the events that took place in this House when we returned from the division bells on the motion to move to orders of the day, the Deputy Speaker, as we resumed and were about to vote, in an unusual move interrupted the vote and said:

"By way of a short explanation, we were on the business of petitions and the member for St Catharines—they go in rotation from the official opposition to the third party to the government. I properly recognized the member, but unceremoniously"—and I understand—"went to the member for Beaches-Woodbine and I apologize to the member for Parkdale."

Now that wasn't very clear, but at that point in time the member for Parkdale rose on a point of privilege and the Deputy Speaker conducted himself to go on with the vote which he felt shouldn't be interrupted and he said:

"On the vote on the motion by the member for York Mills, all those in favour please stand and stay standing."

"All those opposed please stand and stay standing."

Mr Speaker, at that point in time the Clerk of the House reported out the vote, "The ayes are 59; the nays are 39." The Deputy Speaker said, "I declare the motion carried."

Mr Speaker, here is the point that I need to know that you understood when you made your ruling and/or to rule on. At the point the Deputy Speaker said, "I declare the motion carried," the member for Parkdale and other members of this Legislature were on their feet on points of privilege and personal privilege and some others on points of order. Put the points of order aside.

The points that were being raised by members on points of privilege and personal privilege, just as you did with the member opposite who just rose on a point of personal privilege when you were about to recognize me, and you took that as precedence because the standing orders say that privilege and personal privilege will be dealt with immediately, the Deputy Speaker—you must understand that, Mr Speaker—looked, understood that points of personal privilege were being raised, looked to the other members, looked to the calls that were coming over there, and looked to the table, said, "Orders of the day," and then in confusion as this was going on and as the minister was then recognized to introduce the bill, said very clearly, showing that he was in fact confused at the time, "Can I address this point of order"—referring to the point of personal privilege that was being called by the member for Parkdale—"The Chair recognizes the member for Parkdale on a point of order," although the member was calling a point of privilege. Then the Deputy Speaker says: "Can I address this point of order? The Chair recognizes the member for Parkdale on a point of order." There was obviously confusion in the Deputy Speaker's mind.

But Mr Speaker, I'm telling you, from the point of view of all of the members in the front benches here who are participating in that, we saw the Deputy Speaker look, understand that points of privilege were being raised, respond to calls from the government side, respond to looking at the table to recognize then the minister and the introduction of the bill.

My point is that the point of personal privilege had to be recognized and therefore this bill has not been properly introduced and it is not in order and it is not on the floor at this time.

**The Speaker:** Order. I have ruled that what has gone on in this House today, and I've listened carefully to various points—

*Interjections.*

**The Speaker:** Order, order. The House is recessed for 10 minutes.

*The House recessed from 1918 to 1925.*

**The Speaker:** The member for Simcoe West, Minister of Health.

**Hon Mr Wilson:** The health care reform provisions of Bill 26 are designed to provide efficiency and quality in health care to make the system sustainable and affordable for generations of Ontarians to follow.

Our reform initiatives are premised on five major principles: system restructuring, highest quality and best price, patient focus, accountability and sustainability.

We are committed to maintaining health care funding at \$17.4 billion. Implicit in this commitment is the need to make changes in the way we deliver health care services in the province of Ontario.

Bill 26 facilitates the restructuring of the health care system by bolstering community hospital restructuring.

Bill 26 creates and empowers the Health Services Restructuring Commission to assist communities to find efficiencies in the way they deliver hospital services.

While 60 Ontario communities are engaged in hospital restructuring studies, these studies do not indicate how communities will actually implement the recommendations.

*Interjections.*

**The Speaker:** There will be a 10-minute recess.

*The House recessed from 1930 to 1940.*

**The Speaker:** Further debate?

**Mrs McLeod:** On a new point of order, Mr Speaker: I am still anticipating an explanation of your ruling on the previous points of order which were made. You indicated that simply there was nothing out of order. We believe we had a legitimate point of order and I will await your explanation.

While I await your explanation of why the previous point of order was not seen to be in effect, I want to draw to your attention from the Instant Hansard a further proceeding following the failure to recognize the member for Parkdale, the member for Beaches-Woodbine or indeed myself, all of us having been on our feet to make a point of order before the Minister of Health introduced the seventh order.

I draw to your attention that I suppose because the Speaker who was in the chair at the time was confused, and indeed the record shows how confused he was, or since he was at least distracted by the fact that there were a number of members on their feet to make points of order, he neglected to recognize the Minister of Health.

I draw your attention clearly to this record, the record of the Instant Hansard, in which the Deputy Speaker carries out the motion, the vote is carried out, the ayes and the nays are read, the Deputy Speaker declared that motion carried, and called orders of the day. There were



interjections, interjections that arose because members were on their feet asking to be recognized to make points of order. Mr Speaker, I recognize that you too are being distracted by the Minister of Health, who would like to get on with this.

But I again draw your attention to the fact that in the Instant Hansard record of the proceedings of the day, with the Minister of Health in the midst of the interjections, because the Deputy Speaker was distracted by those of us who wanted him to recognize us for points of order, which he later did, he failed to recognize the Minister of Health. The Minister of Health, in his haste to move to the orders of the day, which is quite appropriate given this government's haste to bring in this bill and to ram it through, called for the seventh order without having been recognized.

I think it is quite clear that since the Chair did not recognize the Minister of Health it was out of order to call for the seventh order, and we should revert back to that point in the day's proceedings.

**Mr Cooke:** Mr Speaker, on the same point of order, and on the point of order that you have ruled on earlier, I can't understand how, and I don't believe it's happened in the time I've been here, you can come into the House—I believe it's covered by our standing orders that there's an expectation that you're not only going to rule but you're going to give the reasons for your ruling, and when you don't give reasons for your ruling we're entitled to ask for those reasons for your ruling.

I also want to support the point of order that has been raised by the Leader of the Opposition. Instant Hansard is absolutely clear: The Minister of Health was not recognized for the purposes of calling the order. You simply made the reference that you were prepared to call for orders of the day. You didn't recognize anybody at all, and all of a sudden there is a recognition of the Minister of Health and he proceeds.

In the eighteen and a half years I've been here, there

has never been an evening in this place like there has been tonight. There is something seriously wrong. You've got to recognize that. You said when you became the Speaker that you wanted to preserve decorum in this place. There has never been an evening that has been so out of control as tonight. We're looking to you for direction, we're looking to you for leadership, we're looking to you to resolve this very difficult situation.

I am shocked that a few moments ago, when a number of members were on their feet, you would not recognize anyone for a point of privilege or a point of order. Then, again for the first time I've ever been here to see this happen, the Speaker had to be practically stormed in order to get any attention at all. I want to know what's going on.

I am, and I'm saying this from the bottom of my heart, losing confidence not only in this place, but in the way you're behaving tonight. Mr Speaker, you've got to be fair starting now.

**The Speaker:** I would like to recess this House for an hour, and what I want to do is to ask the House leaders to get together for an hour to try and solve this.

*The House recessed from 1946 to 2047.*

**The Speaker:** The member for Beaches-Woodbine.

**Ms Lankin:** Mr Speaker, I am pleased to report that the House leaders have been meeting. In fact, they request more time and would suggest, with your agreement, that there be a further recess until the call of the Chair, with a five-minute bell.

**The Speaker:** Your request will be granted. We will recess until we have a further report. It will be at the call of the Chair.

*The House recessed from 2048 to 2400.*

**The Deputy Speaker:** It being after 12 o'clock midnight, this House stands adjourned until 1:30 o'clock tomorrow.

*The House adjourned at 2401.*

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Frank Sheehan, Wayne Wettlaufer  
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## Legislative Assembly of Ontario

First Session, 36th Parliament

## Assemblée législative de l'Ontario

Première session, 36<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Wednesday 6 December 1995

Mercredi 6 décembre 1995



Speaker  
Honourable Allan K. McLean

Président  
L'honorable Allan K. McLean

Clerk  
Claude L. DesRosiers

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# LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 6 December 1995

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 6 décembre 1995

*The House met at 1332.*

*Prayers.*

## MEMBERS' STATEMENTS PAY EQUITY

**Mr Dwight Duncan (Windsor-Walkerville):** In July the Minister of Labour, without any consultation or any kind of formal process, cancelled the funding for Pay Equity Advocacy and Legal Services. PEALS, as it's popularly known, was the only organization that represented non-unionized women in their battles to achieve pay equity. The minister cancelled this funding and at the same time made gratuitous statements with respect to the importance of pay equity.

The absolute arrogance associated with this kind of announcement has only been superseded by the government's arrogance with respect to Bill 26. It's a pattern that's emerged since they were first sworn into office: no hearings, no consultation, no opportunity for anyone in the public to have any meaningful say in important matters that are before this province.

The way the government's conducted itself on this and on Bill 26 is an absolute shame. It's something that every one of you will be held accountable for. It is no way to govern this province; it is no way to conduct the business of this House. We in the opposition reject and do not accept the cavalier attitude the government of Ontario has shown, not only to its major partners in the province but to the people of this province, the people who have valuable and important pieces of information to share with us on any number of matters.

Bill 26 is an abomination; the repeal of funding for PEALS is. You ought to be ashamed of yourselves. It's the wrong way to govern and we're going to fight you every step of the way.

## LONDON DEMONSTRATION

**Mr Peter Kormos (Welland-Thorold):** Mr Speaker, I appreciate the chance to tell you and the other members of this House and the people of Ontario—to remind them—about the anger, the fear, the despair, the tragedy that's penetrating every household in this province because of the policies of a government that doesn't give a tinker's dam about the poor in this province, about the working women and men of this province, about our seniors, our parents and grandparents, and about our sick or about our students.

Well, I tell you, on Monday, December 11, hundreds of busloads of workers, trade unionists, advocates for the poor, the poor, seniors, retirees and others are going to be leaving Niagara region and travelling to London, Ontario, where they're going to be joined by thousands of other busloads of similarly angry people who are all going to be protesting in a solidarity and a unity that is unprecedented in this province.

It's a solidarity and unity that is nurtured by the tactics of this government, by its disdain for democracy, its disdain for process, its attack on workers, on the sick and the poor, all for the sake of a tax break for the rich buddies of a gang of Tory thugs that have taken over this Parliament with absolutely no respect or regard for process, no understanding of the role of parliamentarians; indeed, a government that in short order has become increasingly totalitarian, dictatorial. Many have phoned me who have experienced the tragedy of fascism in Europe and they identify it now among Mike Harris and his gang.

## DOUG REDICK

**Mr Marcel Beaubien (Lambton):** It is with great sadness and yet with great pride that I speak to the Legislature today about Mr Doug Redick, who passed away on November 25, 1995. His passing was a shock to all who knew him. Doug was a unique individual, always smiling, always willing to help someone with a personal, financial or any other kind of crisis.

Doug was the first mayor of the village of Alvinston and was also a volunteer firefighter who rose through the ranks and became fire chief. He served on Lambton county council, and in this elected position was instrumental and the driving force in implementing the county-wide municipal addressing system and the 911 system in Lambton. Doug also helped to implement the Lambton county central fire dispatch centre.

Doug passed away at the young age of 43. He was a leader and a pillar of strength in this community. On behalf of the province of Ontario, I would like to extend our sympathy to his family and friends. Big guy, as I would refer to him, you will be missed, but your legacy will live on.

## OMNIBUS LEGISLATION

**Mr David Ramsay (Timiskaming):** I rise today to warn the public of what is contained in Bill 26, the government's omnibus bill. Some in this House call it an ominous bill; I'll call it a bully bill.

It gives the Minister of Health sweeping new powers: powers to close any hospital in the province at the stroke of a pen and unprecedented powers to take over the volunteer boards of Ontario's community hospitals and hand that responsibility over to a bureaucrat.

This bully bill allows drug companies to charge whatever they like for the medication doctors prescribe for their patients in this province. It allows for new hospital and drug user fees. It allows for a plethora of new municipal user fees, something the Premier used to call taxes.

This bully bill takes more than \$225 million from the pensions of the 10,000 civil servants the government fires



later this year. This bill gives the government special powers, powers no other employer in the province has: power to screw its employees, many of whom have worked here for 20 to 25 years, out of pension payments they are entitled to.

Finally, this bully bill closes the door to government. The Information and Privacy Commissioner has said himself that these changes to the Freedom of Information and Protection of Privacy Act will violate the fundamental freedoms of the people of Ontario.

#### SAULT STE MARIE

**Mr Tony Martin (Sault Ste Marie):** It's snowing like crazy in Sault Ste Marie. Now, that means a lot of things to a lot of people.

For Mr Palladini, it's time to sweat. He has to keep the roads clear because in northern Ontario transportation is an important issue, fundamental to commerce and life in general.

But to some others, it means opportunity to recreate, play, enjoy the splendour and wonder that is winter in our wonderful part of the province. People have been skiing up our way for over two weeks now: wonderful snow, packed and powder.

In Sault Ste Marie, Searchmont Resort is open, "the mountains in the midwest": 18 trails, 700-foot verticals, snowboard park, night skiing. I urge the members of this House to attend the press gallery Christmas party tonight, where a two-day package will be auctioned courtesy of Searchmont and Algoma's Water Tower Inn. I urge the citizens of this province to come on up to the Sault, enjoy the snow, enjoy Searchmont, enjoy our hospitality.

I urge Mr Palladini to please keep the roads open. Plow the roads or else people won't be able to come; it won't be safe for them to travel.

**Mr Peter Kormos (Welland-Thorold):** Palladini won't shovel snow; he'll only shovel crap.

**Mr Martin:** That's right.

We urge you all again, in the spirit of winter, in the spirit of this Christmas season, to please allow us in the Sault to show you the hospitality we're famous for. Come on up. We'd love to see you on our lifts, on our slopes, enjoying yourself and spending a few bucks in our community.

1340

#### MEASLES IMMUNIZATION

**Mr Bert Johnson (Perth):** I'd like to take this opportunity to congratulate the Honourable Jim Wilson, Minister of Health, for the immunization initiative he announced in the House yesterday.

The plan to give more than two million elementary and secondary school students a second dose of the measles vaccine is more than the simple fulfilment of a promise made by our government in the throne speech. It's a necessary action that we are undertaking to eradicate a disease which kills nearly one million children each year.

This is a provision which effectively reduces future health care costs in Ontario through simple prevention. In addition, this two-step plan protects young people while creating jobs for Ontarians, as the vaccine to be used is manufactured right here in the province.

Immunization against childhood diseases is a priority for this government. Through this reinvestment we are demonstrating our commitment to front-line health care service in Ontario. Once again, Health Minister Jim Wilson has found yet another effective way to reinvest savings found in the present health care system. No wonder journalists like Tom Walkom appreciate Minister Wilson's efforts on behalf of all Ontarians. I applaud this initiative as a worthy investment in our children's future, something that really makes common sense.

#### LIQUOR CONTROL BOARD OF ONTARIO

**Mr Bruce Crozier (Essex South):** I rise today to bring to the attention of this House that we're once again faced with the tyranny of this majority Conservative government.

This morning I heard on the CBC and later read in the Toronto Sun that the Minister of Consumer and Commercial Relations appears to have already decided the fate of the LCBO on his own, much like Bill 26.

This is after both he and his government promised that a commission to study the possibilities of privatization of the LCBO would be struck, thus allowing for public debate and a full discussion of a broad range of options.

Unfortunately, it appears now that this minister is more content to use both the management and the employees of the LCBO as scapegoats in order to sound the drums of privatization in this province, rather than to enter into a reasoned debate on the merits of privatization itself and ask what his ministry can do to facilitate the LCBO.

This government is content to simply chop up the LCBO, lay off its thousands of workers and watch prices go up for the consumer, as they have in all other jurisdictions where it's been tried. No thought, no debate on the social repercussions; just shoot first and ask questions later.

The minister has said that he feels privatizing the retail end of the LCBO is the answer. Well, the people of Ontario have not been given the question. The minister has made up his mind and—

**The Speaker (Hon Allan K. McLean):** Time has expired.

#### FOOD BANK

**Mr Len Wood (Cochrane North):** Last Saturday, I attended the official opening of Cochrane's first food bank. The food bank opened its doors on Tuesday, November 28, and in the first week assisted 22 families.

The organizer of this service is Mr Jean Raymond and I congratulate him on his efforts. The food bank is run by 45 volunteers plus a working committee of 13 volunteers and many organizations and businesses that have rolled up their sleeves to help in this effort. Fortier Beverages provided the building rent-free and maintenance-free for one year.

I'm delighted to see so many citizens of Cochrane rallying in this effort to provide those in need in the community with food. It's unfortunate, though, that this service is necessary. The economic conditions in the north are worsening and your government is not doing anything but offering shopping advice to those whose welfare cheques have been reduced, those who have lost

their jobs or anyone currently living under unfortunate conditions.

Mr Tsubouchi's shopping list of \$90 a month for food does not work in Cochrane North—or anywhere else, for that matter. Transportation costs tend to drive the cost of food up in the north. Also, the cost of fruits and vegetables is higher during the winter months.

The Premier, when asked whether or not he could live on Mr Tsubouchi's diet, responded that he could not and said that he had worked hard all his life in order to provide for himself and his family, and others should do the same. Many of those who are currently not working have worked hard most of their lives too, but find that at this time in their lives they no longer have jobs and need—

**The Speaker (Hon Allan K. McLean):** The member's time has expired.

#### TANENBAUM ART DONATION

**Ms Isabel Bassett (St Andrew-St Patrick):** I'm delighted to rise today in recognition of an act of great generosity made by one of Ontario's outstanding citizens. Joseph Rotman, president of the Art Gallery of Ontario's board of trustees, announced that Joey and Toby Tanenbaum have made a major donation of artworks to the Art Gallery of Ontario.

The gift comprises 16 European old master paintings from the Tanenbaums' internationally renowned collection and is the largest gift of European old master paintings ever received by the gallery. In fact, it ranks as one of the most generous gifts of art of all time in Canada.

The Art Gallery of Ontario's collection of European art is arguably the strongest among Canadian public institutions and ranges from early Renaissance Italian panels to impressionist paintings.

Chief Curator Matthew Teitelbaum said Joey and Toby Tanenbaum's generosity to the Art Gallery of Ontario sets a shining example for philanthropists everywhere and hopefully will encourage other citizens to make donations of their works to the gallery.

#### STATEMENTS BY THE MINISTRY AND RESPONSES

##### SOCIAL ASSISTANCE

**Hon David H. Tsubouchi (Minister of Community and Social Services):** Our government is committed to helping people break their dependency on welfare. Too many people have been let down by governments over the past decade. The NDP and Liberals spent \$40 billion on social assistance, but failed to help people escape the welfare trap. We are changing that course and embarking upon a fundamental reform—

*Interjections.*

**The Speaker (Hon Allan K. McLean):** Order. Order.

**Hon Mr Tsubouchi:** —of the welfare system so that people will have the opportunity to become self-sufficient.

Today I would like to inform—

*Interjections.*

**The Speaker:** The member for Welland-Thorold is out of order.

**Hon Mr Tsubouchi:** —members of adjustments that will give people on welfare more incentives to return to the workforce.

Mr Speaker, as you know, our government reduced social assistance rates in Ontario to 10% above the average of the other nine provinces. We have always been committed to a system where social assistance recipients can earn back the difference between the old base rate and the new base rate.

Today I'm announcing that improvements will be made so that everyone will be able to earn back the difference between the old and new base rates without clawback.

These adjustments will be made by the end of this month and will be retroactive to October 1. It has taken some time for the ministry to make these changes because there are over 1.2 million people on welfare in this province. Every effort will be made to have those retroactive payments in the hands of recipients before Christmas.

These changes are consistent with our objective to help people return to work. We're also honouring our commitment to give everyone the chance to earn back the difference. We have made these improvements because we believe that even a part-time job is an important first step towards getting back to work and off the welfare system. Our government wants to give people every opportunity to become self-sufficient. The measures I'm introducing today will help more people to become independent.

#### CARDIAC SURGERY

**Hon Jim Wilson (Minister of Health):** On Monday, I announced on behalf of the Premier and the government a reinvestment for people in northern and rural Ontario that will keep rural emergency rooms open.

Yesterday, I announced a reinvestment in children's health through a measles vaccination campaign to improve childhood immunization, as recommended by Ontario's chief medical officer of health.

Today, I'm announcing another important reinvestment for cardiac patients that will enhance Ontario's cardiac surgery capacity and shrink waiting lists.

The need for cardiac care is growing as Ontario's population increases and ages. Over the last year, the waiting time for cardiac surgery has grown. This government identified very early on the need to take action now to address today's situation and be ready for tomorrow's needs. This reinvestment is a priority area and it is made possible through savings that we have found in the health care system.

1350

As a first step, we're increasing the number of cardiac surgeries by 19% over the next two years. That's 1,400 more people who will receive cardiac surgery. This increase means that in two years' time, 9,100 people in Ontario will be able to have heart surgery each year.

The Provincial Adult Cardiac Care Network, an expert advisory body, recommended just a few short weeks ago that we take this action over three years.



I have talked to front-line providers of cardiac surgery. I've decided to increase the capacity as recommended and to accelerate the pace of this increase from three years to two years in order to shorten waiting times.

Waiting for cardiac surgery is immensely stressful for patients and for their families and loved ones. The government is acting today to address this problem.

I've also asked the Provincial Adult Cardiac Care Network to develop a comprehensive plan that focuses on patient needs and encompasses the full range of cardiac services. I look forward to receiving the network's plan next year, in 1996.

And I look forward to making other announcements in the coming months based on the network's recommendations. One such area is cardiac catheterization.

I would like to acknowledge that Dr William Shragge, a cardiac surgeon from Hamilton, is in the gallery today. Dr Shragge is vice-chair of the Provincial Adult Cardiac Care Network.

On behalf of the government, I'm pleased to make this announcement and I hope that it goes a long way towards reducing the waiting lists for people who are anxiously on those lists today.

On behalf of the government, I thank the cardiologists, the nurses and the front-line providers who make the system work, and with today's dollars the system will work better.

#### SOCIAL ASSISTANCE

**Mr Dominic Agostino (Hamilton East):** I was somewhat interested in the minister's announcement, and what I find interesting is that he has called this an improvement today rather than acknowledging that it was an error this government made and a screwup this government made when the announcements and the welfare cuts were implemented.

This government has acknowledged today that they didn't know what they were doing when they announced the welfare cuts. You didn't realize when you put the regulations in place that people could not earn back the cuts. The reason this has come about today is as a result of the fact that the opposition, three months ago in this House, raised the issue and pointed out to this government that you had broken your commitment, that people on welfare could not earn back the cuts because your regulations would not allow them to do so.

This is another example of the litany of errors that this minister and this government have committed since taking office in dealing with the needy in this province. You've cut seniors and disabled on welfare. Until today people could not earn back the money you've cut from them, and you attempted to change the definition of "disabled."

This government has realized since the fall that people could not earn back the cuts. The minister said in the House when asked that people on welfare had two years, as a result of the Common Sense Revolution being published two years ago, to find a job. I say to this government, to this minister, you had two years to ensure that the regulations you put into place when you made the welfare changes allowed people to earn back the money, and you failed to do so.

The arrogance of the Premier prohibited him from acknowledging the truth, which he knew well, and he continued to say in this House, time after time, that people could earn back the cuts, knowing well that that was not the case.

When will other errors that this minister and this government have made be corrected? When will the seniors and the disabled who are on welfare and have had their benefits cut be able to get their full benefits restored once again? There are over 16,000 still today, Minister. When is that going to happen, and when are you going to reverse the brutal, brutal decision that you have made, that your government has made, to impose user fees on seniors and disabled in this province?

That betrayal of that commitment you made, that betrayal to the seniors and disabled of this province, when are you going to change that decision and when are you going to correct the rest of the errors you have made?

#### CARDIAC SURGERY

**Mrs Elinor Caplan (Orillia):** I too would like to acknowledge the presence of Dr Shragge in the gallery today and to say to him and to the members of the Provincial Adult Cardiac Care Network that they have done an outstanding job in providing the minister with advice and a plan.

As the minister who established that network, I want to say it is working well. It is obvious to me and to others that it is time their mandate was expanded to include not only cardiac catheterization but also perhaps access to angioplasty and angiograms. I hope that that will be expedited in part of your recommendations. I see you nodding your head. People have been having difficulty accessing those services and we know that they are vital as part of the continuum of cardiac care.

I agree that it is immensely stressful for patients and their families to have to wait an unreasonable and unduly long period of time. In fact any wait is stressful. We all know that. We also know that this minister has had the recommendation not just for a few short weeks. This government has been in office for six months and this recommendation was made to the minister many, many weeks ago.

One of the things I want to say to the minister is that your strategy is now becoming obvious. Your statements of this week I think are a strategy to deflect, to do damage control and deflect the heat that is being raised by Bill 26. Your use of cardiac patients, children, people of this province who are waiting for needed services in emergencies in rural communities is shameful, and I say shame on you for using them, for waiting to make those announcements until after you tabled Bill 26. You are making these announcements to attempt to hide the realities of Bill 26, and, Mr Speaker, that is a shameful abuse of his powers.

To withhold those services from the people of this province until after he has tabled Bill 26 is wrong. As a former Minister of Health, I say to him that's wrong. I am ashamed of you and I am ashamed that you are in that office and that you have withheld these announce-

ments until this period of time. The minister should be ashamed of himself, the Premier should be ashamed of himself and the members of that caucus should be saying to him, "No more."

**The Speaker (Hon Allan K. McLean):** Order. Further response.

**Mr David S. Cooke (Windsor-Riverside):** What's this world coming to? I agree entirely with the member for Oriole.

#### SOCIAL ASSISTANCE

**Mr David S. Cooke (Windsor-Riverside):** I would like to respond first to the Minister of Community and Social Services and I think it would be more appropriate to call this minister the minister of mistakes.

First of all, a few months ago he was the one who approved a regulation that would have cut thousands of disabled people off any kind of income support at all in this province. It wasn't discovered by him; he didn't read the regulation. It wasn't discovered by his political staff; they didn't read the regulation. It wasn't discovered by anyone in the ministry at all; they had been given instructions to prepare the regulation. It was discovered by the opposition and it was discovered by the media. Thank goodness there's a process of accountability in this place, if only the government would recognize it and accept it on every issue including items like Bill 26.

Social assistance recipients not too long ago couldn't earn all their money back. Yes, it was a campaign promise. The minister said he had already delivered on it, that they already were able to earn back the money they used to get before the 22% cut. You assured us of that. The Premier assured of us that. The fact was again that was a mistake that was discovered in this place and by the media, and you've been scrambling ever since to correct that major mistake as well.

I think it is incredibly cynical for the minister to come in here today, make this announcement proudly, say that the money is going to get in the pockets of welfare recipients before Christmas when he knows the misery that he has imposed on hundreds of thousands of people in this province—and kids—who can't even think about this being the holiday season. They're trying to think about how they're going to keep a roof over their heads as many of them are being kicked out of their apartments or houses because they can't afford the rent under the new rates and they have no opportunity.

I am sick and tired of hearing from this government the line of "a hand up." How can there be a hand up when programs like JobLink have been cancelled, Jobs Ontario Training, and the cutbacks to community colleges? Those were the avenues that were available for people to get training and to get back into the workplace.

You use all the right language; you have killed all of the opportunities for people to get the training that they require and get back into the workplace. This isn't reform; this is all in the name of cutbacks from the poorest people in this province in order to finance a tax cut to the richest people in this province. It is sad, it is sick and it's not worthy of any elected official, but it's

being imposed on the people of this province by this heartless government we have in this province.

**1400**

#### CARDIAC SURGERY

**Mr David S. Cooke (Windsor-Riverside):** I'd also like to respond to the Minister of Health. I obviously want to congratulate the minister for coming forward with this announcement and putting more dollars into cardiac care. This has been an issue that I've been interested in for a number of years, coming from the community of Windsor.

But I have to agree with the member for Oriole. This has been nothing but a public relations exercise. You study the issue, you save up the announcements, you know that there's going to be \$1.5 billion cut out of the health care budget, and then you try to fool the people in this province by making these announcements in the House in the last week, giving people the impression that you're reinvesting all the money. The fact of the matter is, \$1.5 billion has been cut from the health care system. Much of it has been cut from the hospital system in this province. There will be hospitals closed. There will be longer waiting lists for assistance and for medical help that is needed.

You have done the most cynical thing a politician can do, and that is to manipulate public opinion in such a horrible way when at the same time we're debating a piece of legislation in here, Bill 26, that will allow for American ownership of our health care system, that will close hospitals, that will destroy confidentiality, which will destroy confidence in our health care system.

You have declared war on the doctors of this province. You've declared war on the pharmacists of this province. You're trying to get this legislation through before Christmas so that you can hide the truth from the people of this province. It's sad, it's cynical and it's a shame.

**The Speaker (Hon Allan K. McLean):** The time for responses has expired.

Is there a unanimous consent? I believe somebody had asked for it.

**Hon Dianne Cunningham (Minister of Intergovernmental Affairs, minister responsible for women's issues):** Could we have unanimous consent, Mr Speaker, to remember the Montreal massacre on December 6, 1989?

**The Speaker:** Do we have unanimous consent? Agreed.

#### DAY OF REMEMBRANCE AND ACTION ON VIOLENCE AGAINST WOMEN

**Mrs Sandra Pupatello (Windsor-Sandwich):** Today we remember the Montreal massacre. Today is the national Day of Remembrance and Action on Violence Against Women, a day for ribbons, candles and tears for fallen sisters, daughters and mothers.

This day marks the sixth anniversary of the hate killings of 14 women at l'École polytechnique. Once again, 14 white roses will be laid in the snow at the foot of the memorial and the women's names read aloud in the hope that the victims, not just their killer, will be remembered.



The women who were murdered on this day six years ago are Geneviève Bergeron, Hélène Colgan, Nathalie Croteau, Barbara Daigneault, Anne-Marie Edward, Maud Haviernick, Barbara Maria Klucznik, Maryse Laganière, Maryse Leclair, Anne-Marie Lemay, Sonia Pelletier, Michèle Richard, Annie St-Arneault and Annie Turcotte. I might say that they were mostly in their early 20s and cut down at a very young age.

Today is a day to reflect on the talent and the potential that was lost on that fateful day. We mourn because this horror is the extreme end of a disturbing phenomenon: that we live in a society where there is increasing violence against women, fed in part by the fear of their progress.

As Reverend Champlain Barrette, chaplain of the Montreal urban community police, said eloquently at the funeral of Constable Odette Pinard, who was shot on Monday night last week as she was sitting at her desk at a small community police office, "When a society no longer respects the lives of those whose mission it is to protect, you're forced to realize that there's a type of cancer that is called violence, hatred, intolerance."

It was a crime we did not think could happen in Canada, but it did. In recalling their innocence, it is a day to grieve. It is also a day to take stock of what we as a society have done to counter such violence.

The grim news is that crime against women is not levelling off; rather, police say that reported incidents of conjugal violence are still on the rise in Canada.

The statistics are devastating. A StatsCan study compiled two years ago still stands true today: 51% of women have experienced physical or sexual violence at least once in their adult lives; 29% of married or previously married women were assaulted by their husbands; almost 60% of women who were sexually assaulted were attacked more than once. Only 14% of victims surveyed reported the incidents to police, and only 9% of women who had experienced violence had turned to a social service agency.

We have a long way to go to make women safe in our society. Too many tragedies have increased awareness and the need for action, and people are taking action. Men and women are acting. They are getting together to take back the night, taking steps to make our neighbourhoods safer, acting to control access to guns and weapons of violence and to get tough on those who commit violent crimes.

We must be ready to take the necessary steps if we are truly committed to doing all we can to stop the senseless violence against women. We must do all we can to ensure that women can walk alone at night without fear, ensure that they're not vulnerable at home, at the workplace or at school.

The question we must ask today is this: Have we done enough for those 14 innocent young women who were deprived of their hopes and dreams? The answer is no, but that's no reason to give up hope.

Yesterday in the House of Commons in Ottawa, Bill C-68, An Act respecting firearms and other weapons, was given royal assent. Family members of the victims of the

Montreal massacre spoke in favour of this bill, and today they are relieved that it has indeed become law.

Today also marks the anniversary of the election of Agnes Macphail, the first woman elected to the Ontario Legislature.

It is important for all Ontarians that women become a part of the decision-making process and to recognize that violence is not a women's issue. It is an issue that affects men, women and children, and it's the responsibility of us all to ensure that ending of violence stays at the top of the government's agenda.

**Ms Marilyn Churley (Riverdale):** Today I stand with my colleagues in this House to remember one of the most tragic events in the history of Canada. It was six years ago today that a man walked into l'École polytechnique in Montreal and gunned down 14 bright young women.

Many of us will remember that at the time following the massacre a debate raged about whether this was a random act of terror on the part of one madman or whether it revealed something systemically wrong with the way our society works and with our collective attitudes towards women.

Clearly, I think we all agree that this was an action of a disturbed individual, and I know that very few individuals would be capable of so horrific a crime. But I think it's very important that we remember today and recall a little detail about what happened on that December night.

The killer separated the men from the women. Then he shot the women. And he acknowledged his motive: He shot the women because to him they represented objects of his rage. He saw them as feminists who were infringing on his territory. In daring to be studying engineering, traditionally a male profession, these women had gone too far, in his view. For taking a class—for taking a class, Mr Speaker—they were executed by an angry gunman.

In the months and years since that fateful night, we have continued to grapple with the question of whether, in a sense, what happened belonged to all of us. I think we began to collectively acknowledge that we all have a responsibility in ensuring that violence is rooted out of our society.

We all have a role to play. Women need to continue to organize, and we are. Men need to continue to talk to and confront each other. We need to teach our children, especially our boys, that harassment and violence, whether in their actions or language, are unacceptable.

Our government has a very important role to play. We have to ensure that help exists for women who are the victims of violence, whether that be shelter and counselling or other types of support services, and we need to continue to provide education and raise awareness of these issues through public education.

**1410**

Today, although I want to concentrate on remembering the women who have been victims of violence, I really must say how much I regret that this government has cut not only services to abused women but also counselling and public awareness campaigns aimed at men.

Yesterday, the Centre for Research on Violence against Women and Children released a report on the costs—that

is, the financial costs—of violence against women. This report details the costs in four principal areas: in social services and education; in the criminal justice system; on labour and employment; and on health and medical services. They say the economic costs of violence against women—and these are the economic costs we're talking about—are in excess of \$4 billion a year. I think we can safely say that the government's decision to cut these support services and public education is certainly, among other things, a false economy.

I would plead with this government to step back and consider some of these devastating impacts. I'm pleased to note today that many of the men on the government side are wearing white ribbons, which represent men wanting to end violence against women, and I sincerely hope that this is a positive sign, a positive indication that the government is willing to reconsider some of its positions.

Today, in closing, I'd like to tell the House that, along with my colleague the minister responsible for women's issues and the member for Windsor-Sandwich, I attended a candlelight vigil to mark the sixth anniversary of the Montreal massacre. Every year I attend such a ceremony. It's always moving and it's always very painful, and I just came from there.

I want to say, though, that I want to remember. We must remember and we must never forget. I held a rose for Barbara Maria Klucznik. She became very real to me at that moment. When her name was called, I brought it forward to be placed in a vase with 13 other roses, each representing a murdered young woman.

Many of us in this House have daughters. My daughter is about the same age as the young women we are remembering today. We want our daughters to go forward in this society feeling that they are equal participants in our society, that they can walk down the street and be safe, and that they can be safe in the homes of their spouses and partners.

**Hon Dianne Cunningham (Minister of Intergovernmental Affairs, minister responsible for women's issues):** I rise with my colleagues today to recognize that December 6 is the provincial Day of Remembrance and Action on Violence against Women.

Today we remember the 14 bright young women, full of promise, whose lives were brutally cut short on December 6, 1989, whose lives were cut short because they were women and because they dared to walk a path that once had only been walked by men.

The female engineering students at l'École polytechnique represented hope for a profession that was opening its doors to women in greater numbers. They stood as proof that entering a professional college is a matter of ability, not gender. But to a bitter and ill young man who had tried and failed to be accepted into l'École polytechnique, who believed that women should stand behind men rather than alongside them, these young women represented a threat, and he lashed out in a savage, premeditated and cowardly act.

Today we remember the victims of the Montreal massacre. We mourn along with their families. Today we also commemorate the women who have died at the hands of their current or estranged partners. We remem-

ber the thousands of Canadian women who right now, as we sit in this Legislative Assembly, live under constant threat of physical, sexual and emotional abuse. They are our wives, our mothers, our grandmothers, our daughters, our aunts, our sisters, and we love them and we need to protect them as they nurture us.

More than half the women in this country have been physically or sexually assaulted as the Criminal Code defines these crimes. One in four of us is sexually assaulted during our lifetime, and more than half of women in the workplace have experienced sexual harassment or threats.

Today we remember the victims and the survivors of these crimes, and we renew our commitment to end all forms of violence against women.

In the six years since the Montreal massacre, too much attention has been paid to the killer. News reports tell us too much about what he did and not nearly enough about who the victims were and what was lost when they died. Let us put an end to it. Let us stop mentioning his name and stop printing his picture. Let us always, however, remember what his motives were.

On this provincial Day of Remembrance and Action on Violence against Women, let us resolve to focus on the 14 women who lost their lives on December 6, 1989. Let us remember their names, as their families are surely doing this day, and let them live on as symbols of hope for the future.

For every woman who graduates from a school of engineering, and there are many of them but not enough, let us say, "This one is for you, Michèle Richard." For every woman who breaks through the glass ceiling, let her say, "This one is for you, Annie Turcotte, or Geneviève Bergeron or Hélène Colgan." And for each small victory in our efforts to end violence against women, let us say, "Sonia Pelletier, Nathalie Croteau, Barbara Daigneault, Anne-Marie Edward, Maryse Laganière, Annie St-Arneault, Maude Haviernick, Maryse Leclair, Anne-Marie Lemay, Barbara Maria Klucznik, this is for you."

On this provincial Day of Remembrance and Action on Violence against Women, let us recognize the right of every woman to be safe in her community, in her home, at school, on the street. All of us must state again our commitment. All of us in this House, because violence is not a partisan issue, must commit to provide supports to those women who continue to experience violence.

I ask that we take a moment of silence to remember those victims, and their names, of the Montreal massacre.

*The House observed a moment's silence.*

1420

## ORAL QUESTIONS

### PROTECTION OF PRIVACY

**Mrs Lyn McLeod (Leader of the Opposition):** My first question is for the Minister of Health. I return to a question we raised in this Legislature yesterday.

Minister, contrary to what you told this House yesterday, Bill 26 gives you sweeping new powers to access the most personal, the most intimate medical records of every person in this province. The bill gives you the



power to appoint inspectors who will act only under your general manager and not under the Medical Review Committee, as you said they would do yesterday.

On page 109 of the bill it says that these inspectors appointed by you will have the power to go into doctors' offices to get information from health records, from doctors' notes, from doctors' charts. It goes on to say that the inspectors will have the power to remove any information from that doctor's office for the purposes of copying it.

Minister, you said yesterday that this is not an unprecedented power, but in fact no Minister of Health has ever had access to personal health records. I can hardly begin to imagine what this means, that you are giving your inspectors the power to snoop into the most intimate details of the lives of the citizens of this province—

**The Speaker (Hon Allan K. McLean):** Put your question, please.

**Mrs McLeod:** —from their psychiatric records to information about very personal family problems, sexual problems, AIDS, anything that can be imagined, anything which is now the source of absolute confidentiality between a patient and a physician.

You are, Minister, conferring upon yourself and your inspectors a simply unbelievable amount of power, and I ask how you can possibly justify this kind of intrusion into the most personal and intimate details of the lives of every citizen of this province.

**Hon Jim Wilson (Minister of Health):** My answer to this question of yesterday to the honourable member stands. It was quite correct. Perhaps I could expand on it today by reading the following from the government's lawyers:

"These powers are very similar to the powers inspectors currently have under the Independent Health Facilities Act enacted in 1989 by the honourable member for Oriole, Mrs Elinor Caplan. Inspectors will of course be held to confidentiality requirements just as they are now, such as those in subsection 37(4) of the Independent Health Facilities Act and subsection 38(1) of the Health Insurance Act.

"Only health care practitioners will be appointed as ministry inspectors to inspect health care records. The inspectors will be able to inspect the records in an almost identical fashion to the ministry inspectors under the Independent Health Facilities Act."

In bold it says, "There is nothing in any of these amendments which changes the minister's authority to access or disclose any kind of personal information, including health records."

That's from the senior legal department at the Ministry of Health and it is concurred with by the Attorney General's office. It's the best legal advice we have, and if the honourable member has legal advice to the contrary, rather than her own opinion, I'd like to see that legal advice.

**Mrs McLeod:** If we could get this bill into committee and do clause-by-clause we could challenge very directly the kind of information this minister is providing to not only this House but every citizen in this province.

I read an act, and I read an act knowing that the only power the Minister of Health has now—well, he has no power to access records. The only way an individual's health records can now be accessed is under the auspices of the College of Physicians and Surgeons, or through inspectors who work under the direction of the Medical Review Committee.

Indeed, there is a clause here that says you may appoint inspectors who will act under the direction of the Medical Review Committee, but the clause above that says, equally clearly, that you may appoint persons as inspectors who act only under the direction of the general manager of OHIP. Furthermore, it says very clearly in this act, on page 101, that this bill gives you and your general manager the power to disclose the information which has been gained from patients' private health care records.

You said yesterday in this House that nobody should worry about this provision of the act because, after all, there is a privacy act. We spoke to the Information and Privacy Commissioner this morning about this matter. He told us he had not been consulted about the bill. He told us, furthermore, that our fears were not unfounded, and he is the one you referred to yesterday as providing protection to the private citizens whose lives you are about to intrude on. He informed us that he would be sending you a letter in this regard.

Minister, this act says as clearly as we can read it—

**The Speaker:** Would you put your question, please.

**Mrs McLeod:** Not having access to a committee where we can go clause-by-clause, we have to try and decipher what it is you're doing to people in this province, and we read that should you disclose information for purposes you deem to be important, no action can be taken against you or the general manager, or any member of your staff or the general manager's staff, or indeed any other person or organization—no action for disclosing information about the most personal and confidential health records of the people of this province.

As I said to you yesterday, not only is this an unprecedented power, but this is an issue on which a previous Minister of Health voluntarily resigned because she felt she had inadvertently disclosed confidential information. Tell the people of the province the truth of this matter. You are indeed giving yourself and your inspectors unprecedented power to obtain confidential medical records and there is no protection of the individuals whose most personal and intimate information can now be accessed.

**Hon Mr Wilson:** Those allegations are utterly ridiculous and untrue. The Minister of Health does not have access to patient records under any amendments or under any existing law now. The general manager of OHIP does have access to records currently.

I ask the honourable members, have you ever seen a physician's remittance statement, the thing that's attached to their paycheque every month? It has the name of the patient, the procedure and code, and the cost and the reimbursement to the physician. That provision in the act—the general manager prepares those statements. They're sent to the physicians every week.

The disclosure provisions are the same we have, except that we're now extending them to hospital settings and other facilities because we know we have a number of hospitals like Queen's and Sick Kids on alternative payment programs.

The act had to be amended to make sure we can have disclosure through the general manager, for purposes of payments to physicians, of the patients' names. I have no access to patients' names on records. It would be foolish of me to ever even try, given that somebody inadvertently put a patient's name in one of the previous NDP ministers' briefing notes—I blame the staff, not Evelyn Gigantes—and she got that name in her head. It would be wrong for any patient's name to make its way up to the minister or the minister's office.

You have a former Minister of Health here. Those laws haven't changed, and the disclosure contained in the sections you mentioned simply allow the general manager to pay physicians.

With respect to inspectors, again we're clarifying. Inspectors currently can go in under the Independent Health Facilities Act. We do things now in hospitals we didn't do when that act was put together in 1988-89; we do things in physicians' offices differently now. We're modernizing the act. If an inspector goes in and finds information that perhaps a physician or a provider is acting in a fraudulent manner, they need the authority, not to disclose to the Minister of Health—that's not what the act said—but to disclose to the police the information they found so that due process can be followed and charges can be laid. That's how you nip fraud and health card fraud in the bud.

**Mrs McLeod:** On only one point do I agree with what the Minister of Health has just said: It was wrong when the name of a patient entered into the public record. It will still be wrong if the minister rams through this legislation making it permissible for information about patients' private health records to be disclosed and ensuring through this act that no action could be taken against the minister of his staff or any other individual or organization for disclosing information.

I test the words of the minister in this House today against the words in this act that they want to make law by Christmas of this year.

It doesn't talk about the physicians' billing records. It says, paragraph 6 of 40.1, "to inspect, at any reasonable time, all books of account, documents, correspondence and records, including payroll, employment, patient and drug records, regardless of the form or medium in which such records are kept." It says very clearly, "disclose the information for the more effective management of the health care system or the delivery of health care services"—Minister, within your discretion and without action against you, it appears, if there is even inadvertent disclosure of that information.

I believe that what you are doing with this act—

**The Speaker:** What's the question? Put your question.

**Mrs McLeod:** I am, Mr Speaker. If you prefer me to put it as a point of order, I will. Otherwise, I will complete an important question in this House.

I believe that what this minister is doing just with this provision of this act is conjuring up images of the Watergate era at a time when Richard Nixon would send in his burglars to get the private psychiatric records of Dr Daniel Ellsberg. Only now we don't have to do it in the dark of night and we don't need burglars; the minister just sends in his inspectors in broad daylight and he can get any private information he wants.

Again I ask, how can you even consider giving yourself, your agents, your staff these kinds of powers, and how can you do nothing to protect the confidentiality of the private citizens of this province?

**Hon Mr Wilson:** Just a couple of responses here. One is that our director of legal services is chatting with the Information and Privacy Commissioner to bring to his attention that we've not changed the law with respect to the supremacy of the Freedom of Information and Protection of Privacy Act.

*Interjection.*

**The Speaker:** Order. The member for Oriole is out of order.

1430

**Hon Mr Wilson:** There is no way that the scenario the honourable member has just placed in a fearmongering way before this House can occur. Your staff and your office have been pestering the freedom of information officer, and therefore apparently he feels obliged—you're trying to find something that doesn't exist in the act, and therefore he feels obliged, apparently, to send me a letter and ask me to clarify, as I'm doing right now on my feet in the House.

Secondly, I need to read a section of the act that the honourable members failed to mention, and that has to do with secrecy of information that inspectors come across, employees of the general manager:

"...each person engaged in the administration of this act and the regulations shall preserve secrecy with respect to all matters that come to his or her knowledge in the course of his or her employment or duties pertaining to insured persons and any insured services rendered and the payments made therefor, and shall not communicate any such matters to any other person except as otherwise provided in this act."

I can assure you that's not the Minister of Health that's provided in this act. It is only where agreements are in place to convey that information to the general manager himself or herself for the purposes of payment and to police forces or otherwise that may have to take information dug up by inspectors to proceed with prosecutions.

That is simply what the act says, and to go beyond that, I'm afraid the honourable members are stretching things far too far.

#### DEREGULATION OF DRUG PRICES

**Mrs Lyn McLeod (Leader of the Opposition):** "No action shall be taken against any person for disclosing information." Let this act see the light of day, let this into committee, so that this minister can defend it in front of those who can challenge openly and publicly the statements that he makes.



Mr Speaker, our frustration, I think you will realize, is obvious, because that is one section of an act which contains so many issues that we need to make public, and I will turn to the Minister of Health on yet another issue, because buried—I think it's actually schedule G; it's buried in the bowels of this omnibus bill—there is a provision which I consider to be rather sinister. It's the provision that ends the regulation of drug prices, a regulation that ensures that prescription drugs are affordable to the average Ontarian and to the average company paying for a drug plan.

The implications of this particular change seem rather clear. Drug prices are expected to go up as much as 15%. Doctors have said so. Consumers have said so. Minister, even people in your own ministry have said that this will happen at least initially.

So, as usual, the ones who are going to be most affected by your policies are the elderly and the sick. Minister, I ask why you are betraying your promise to protect seniors by trying to ram through legislation that will increase the cost of prescription drugs.

**Hon Jim Wilson (Minister of Health):** I don't know where the member gets the 15%. If we quote from the Toronto Star of December 2, it says:

"Huge health insurance companies say new provincial rules will give them the power to push drug prices lower.

"Liberty Health, the former Ontario Blue Cross, expects the changes will let it pressure pharmaceutical companies to offer volume discounts, as they do in the United States, said spokesperson Joan Walters."

It goes on to quote Vic Ackermann, president and chief executive officer of Hoffmann-La Roche Canada Ltd, saying the same thing, that real competition in the system will drive prices lower.

That's the consensus that I'm receiving from the industry itself and from consumer groups. There are many articles that indicate consumers themselves understand competition.

But I will say to the honourable member, because we do have a responsibility as a government to monitor prices, that that's what we will do, and if cases are brought to our attention that we do not see a lowering of prices or that we do not see the competitive market working, we'd be prepared to act.

**Mrs McLeod:** Well, quote selectively. The minister can do that all he likes in the House, and because we can't get this bill into committee and we can't have public hearings, there'll be no opportunity for the different experts to challenge what the minister likes to quote, because in that same article there were two other experts who said that the deregulation will spark price increases of up to 15%, and a representative of his own ministry said, "We anticipate initially prices would increase." There is at least a debate here about what deregulation of drug prices will do to the price of drugs.

I must confess, when I read the quotations of the minister, I should probably congratulate him for having achieved a new first, because until I read this article, I thought that the dumbest thing I had ever heard was Mr Tsubouchi saying that people should go out and bargain

for 69-cent tuna. But this Minister of Health has topped him when he talks in this same article about the consumer going out and bargaining to get the best deal on drugs with their pharmacists. In fact, he suggested that buying prescription drugs is rather like buying a used car.

I think we're beginning to get some sense, some understanding of how this government thinks the marketplace should work, because first you go to the front of the store and you bargain for your 69-cent tuna and then you go to the back of the store, to the pharmacy, and you haggle to get your half-price penicillin. I ask the minister most seriously—most seriously, Minister—do you really think that an 80-year-old woman with diabetes and osteoporosis, or maybe a young man with strep throat and a fever of 104 degrees, is really in a very good position to be running from pharmacy to pharmacy playing Let's Make a Deal?

**Hon Mr Wilson:** For a member who was in government at one time, she should very well know how archaic the system is for setting drug prices. We do not get the best price for drugs in this province now under current rules and regulations. You know that, honourable member. We have court cases to prove that we don't get the best price now for consumers. The practice of the laws, as we've lost court case after court case, is that we must accept today prices that large manufacturers of drugs, pharmaceutical manufacturers, put forward. We have very little discretion. We're going to free ourselves up and we're going to free up those large purchasers.

Given that 60% to 70% of the drugs purchased in Ontario are paid for by the private sector through their plans, they, like Liberty Health and others, want the ability—

**Ms Frances Lankin (Beaches-Woodbine):** Oh, there's the connection. There's the real connection.

**Hon Mr Wilson:** I only mention them because they're in an article. They and we want the opportunity, as large purchasers, to force prices down in a competitive market. We've been hindered by that.

The honourable member for York South and the honourable member for Beaches-Woodbine will know we just lost a court case on their 75-90 rule with respect to Apotex. We were unable to set prices lower than what Apotex demanded. It cost us \$4.5 million to pay profits to Apotex at the time when we want to come in with lower prices.

The act has good points in it. In addition to competition, it reaffirms in a statutory way, rather than the regulatory way like the NDP government did it, our ability to fix lower prices for generics on the formulary. That's good news and it will make sure we don't lose any more lawsuits. I only ask honourable members to be fair and to read and understand the entire piece of legislation before them.

With respect to committee hearings, I think that's already been addressed by the Premier and the House leader. We're quite willing to have public hearings on these matters.

**Mrs McLeod:** As we attempt to relate the words with which the minister camouflages the destruction they are

bringing to our health care system, the words he uses in this House, as we attempt to relate that to this act, we find that the reference the minister makes would be invalid given the changes that this act brings in.

I suggest that when you hear the minister's elaborate attempt to defend this new unilateral action, it at least deserves debate about what the deregulation of drug prices is going to do to the price of drugs and to the affordability of health care for every individual in this province, and in fact to the cost of paying for the drug plan for this government that keeps talking about the savings that it's going to make on the backs of welfare recipients and the elderly by making them pay part of the cost of their drugs.

We have seen this minister, two days in a row now, attempt to buffer the impact of what we are trying to raise, the concerns we're raising with this bill, with his good-news announcements. Yesterday, we saw him announce a program about inoculating children against measles. I truly believe that this government is orchestrating the introduction of a much more serious disease, a disease called dictatorship and arbitrary power and arrogance, which is a coup d'état by any other name.

1440

Minister, you believe that this is somehow going to lead to lower drug prices, but a letter from the Ontario Pharmacists' Association, which I'm sure you're aware of, the very people that you now want to operate as dime-store hagglers, says, "The Ontario Pharmacists' Association has serious concerns that the changes to the Ontario Drug Benefit Act and the Prescription Drug Cost Regulation Act may both lower the quality of pharmaceutical care and raise total health care costs in Ontario."

Minister, they want you to have public hearings. They want debate. The Ontario pharmacists say that they need time to talk to seniors, they need time to talk to people who will be directly impacted. They are asking you to hold public hearings before this bill becomes law.

Surely, Minister, if you believe this is the right thing to do, if you believe this will actually lower drug costs, you have nothing to lose to allow public hearings to take place, to let seniors be heard from, to hear from those who will be affected. Will you not stop acting like a dictator, hold the public hearings, hold those hearings before you act to make this law?

**Hon Mr Wilson:** I don't know how often we have to communicate this, but I agree with the honourable member. We are offering public hearings and I'd be very happy to participate in those public hearings and continue to answer all of the questions that they ask in a forthright and truthful and honest—

*Interjection.*

**The Speaker (Hon Allan K. McLean):** The member for Hamilton East is out of order.

**Hon Mr Wilson:** The pharmacists' association, in its communications to me, indicates it doesn't know whether drug prices will go up or down. I agree with the honourable member, that would be a very good point to bring before public hearings. We've offered public hearings and I hope the honourable members will take us up on that offer.

## PROTECTION OF PRIVACY

**Mr Bob Rae (York South):** My questions are also for the Minister of Health. I wanted to ask the minister on this question of confidentiality. I'm sure he will appreciate that if I'm going to the doctor on Friday, my concern of course is to get appropriate care. My concern, as well, is to have the absolute assurance that the information that I provide to the doctor and the doctor provides to me is confidential, that this information remains between the two of us. In fact, if the doctor has to tell me that I'm suffering from a life-threatening disease or that I require some form of intensive therapy, I would anticipate that the doctor would not share that information, that those charts would not be shared.

The amendments that the minister has presented, he's telling us, provide no significant change with respect to the current practice of the system, yet there are a number of people, including members of the College of Physicians and Surgeons of Ontario, spokespeople for the Ontario Medical Association, as well as the freedom of information commissioner, who have expressed concerns about the protection of patient records and about the confidentiality of these records.

I wonder if the minister can tell me whether he sees the need for any amendments to the current legislation which would give patients some assurance that when they go and see the doctor and provide confidential information to that doctor and when the doctor provides treatment for them, those aspects of life are kept confidential between the patient and the doctor.

**Hon Jim Wilson (Minister of Health):** I appreciate the question from the honourable member for York South and I fully agree with him that we should not, must not, cannot and will not change the relationship and the confidentiality of patients' records with respect to any public disclosure of those records and that that information must be kept confidential between the physician and the patient. That is exactly what we are trying to ensure in the act.

We did talk to the College of Physicians and Surgeons, because I was most disturbed by their comments in that newspaper article. This morning we talked to them. Apparently one side's not talking to the other within the organization. Once we got hold of the people who had helped draft some of the legislation, they indicated that there is nothing in this act that would damage the relationship of confidentiality that the people of Ontario expect, but if the honourable members have other suggestions, I'm certainly open to amendments in this matter.

**Mr Rae:** None of us in this House, including the minister, are experts. Let's remind ourselves of that fact. We're legislators who are presented with advice from all sorts of people, including public servants, and even, Lord knows, public servants the odd time make human errors. They draft material that might not have taken something into account. Sometimes public servants accrue powers to themselves which the laypeople among us find a little excessive when they look at them carefully. There's a tendency to do that. It's a bureaucratic tendency and one that I think one would want to reflect on.



For example, when I'm told that I'm an insured person, and simply by being an insured person I have thereby deemed, authorized, my doctor, my hospital, my health facility, to give information about me to the general manager, including particulars of the services provided to me, I think that would come as a surprise to most patients. I think most patients would be surprised to discover that, under the act that's now in place, they are deemed to have given access to their records to all sorts of people, including making copies, including making photocopies. We now have the inspectors with the specific power to remove files and to make copies of them.

Just for a moment, Mr Speaker, imagine: You get my file, you get my name, you get my chart. You make a copy of that chart and you then have a photocopy of the chart, which as far as one can tell can go pretty wide and far in the ministry before someone says, "Oh, wait a minute, maybe we shouldn't have that information about Mr X."

I am looking at this as an ordinary patient, as I'm sure the minister would as well. I'd like the minister, because in addition to being a minister, he is also a patient—we're all patients from time to time. We don't want our medical charts to be shared with a bunch of people who have no business looking at our charts, no business having access to our names, no business having access to our records, no business having access to the drugs that we take or to the illnesses from which we suffer. That information belongs to us. So when we see these powers in this bill, perhaps the minister will understand why people are concerned. It's a very legitimate, natural, human concern.

I'm asking the minister again whether he doesn't see the need for some amendments which will in fact deal with this particular problem.

**Hon Mr Wilson:** Again, I agree with the honourable member that we don't want to do anything to upset the delicate relationship with respect to confidentiality.

I think you're right. People will be shocked to know that the Health Insurance Act has for over 20 years contained a provision deeming that insured persons have consented to the disclosure of their personal information by health care practitioners to the ministry. This is necessary so that physicians and other fee-for-service practitioners can submit claims to OHIP without violating their rules of confidentiality. Without this provision we could not pay them for the services which they have performed. What this bill does is extend beyond just the fee-for-service physicians.

Your government did a good job of putting Sick Kids' physicians on alternative payment plans; Queen's; and we're working on CHEO, the children's hospital in Ottawa. Therefore, in order to pay those physicians for some services they may render in or outside of their alternative payment program, to ensure that we're not getting double-billed, that they're not also putting out a fee-for-service bill and getting their salary on the APP, we're simply extending it to those settings. That's all we're doing.

But if there's something else, I agree, I'm not an expert on this. I am taking advice from our legal department. We welcome the scrutiny and any suggestions to ensure that we are getting it right.

**Mr Rae:** Perhaps the minister will understand, therefore, my final question. The more the laypeople among us examine this legislation, which really goes a long way in a lot of different fields—we are now, just today, exploring one part of one schedule, in one question period. You are admitting that it may be necessary, because the public's concerns will be raised, to bring in amendments. Imagine the number of areas in which the public will have concerns to which we have to respond.

A lot of what you're doing is not even particularly partisan. You want to create an inspectorate. You want to give the inspectors powers. You want to make sure they're able to deal with fraud. We all want to deal with fraud. Every Liberal wants to deal with fraud, every New Democrat, every Conservative. None of us wants to see patients or doctors defrauding the health care system. We all want to deal with the question. We don't want patients' confidentiality to become a pawn in that game.

1450

Why would you not see the need for you to recommend to your colleagues in cabinet that this is something that needs to be studied and scrutinized—it can't be left to the bureaucrats in the Ministry of Health; it can't be left to a government to do something in haste in terms of an overall package—and say, "Let's accept the offer that's been made by my colleague the member for Windsor-Riverside and by the member for St Catharines," which is very clear? We were prepared to come back in January; we're prepared to deal with this legislation by means of public hearings and to deal with it in a very public, effective way, deal with the concerns the public is bound to have as a result of legislation that's as sweeping as the legislation you're bringing forward.

**Hon Mr Wilson:** I think we've offered public hearings and that offer stands. It is the intent of the ministry and myself. We've spent many hours going over this. We think we have it right. So far, other than questions in the House, nobody's offered me a specific amendment. I'm prepared to accept amendments if somebody comes along with a good legal argument suggesting that perhaps we don't have it right.

We think it's right. So far, it is passing the scrutiny of most of our partners out there that will live within this legislation. But I welcome public hearings and I hope that the honourable members will take our government House leader's offer for those public hearings and take us up on that offer.

**The Speaker (Hon Allan K. McLean):** New question, the leader of the third party.

**Mr Rae:** It's worth recalling, Mr Speaker, as I'm sure you will, that under Bill 7, where we had again no effective hearings at all, the government produced 65 amendments in five seconds. Imagine, that was one bill dealing with one subject; we have the equivalent of about 10 Bill 7s in this one bill. I can't wait to see the final moments in committee of the whole, when the government House

leader, who is now shaking his head, is going to be bringing forward dozens and dozens of amendments to deal with the issues that have to be dealt with.

#### HOSPITAL RESTRUCTURING

**Mr Bob Rae (York South):** This is my second question to the Minister of Health. We understand, from the radio this morning, and I don't know whether the minister can confirm this—I'm looking at page 49 of the act which gives the minister the most powers that the Minister of Health has ever had in the province with respect to a single subject matter, and that is the question of the funding and closing of hospitals. No minister in the history of this province has ever had the powers which this minister is now taking upon himself.

I want to ask the minister this question: Is he now engaged in discussions with the Ontario Hospital Association about amendments to this section, part II, schedule F, which deal with his powers? Is he in discussions with them, since we're told from the Ontario Hospital Association that while they agree it's important for the government to have tools, the amendments to the act go far beyond what is required in terms of restructuring alone and undermine the principle of voluntary hospital governance in this province?

Those are the concerns that have been expressed by the hospital association. I wonder if the minister can tell us: Is he now engaged in discussions with them to consider amendments to this bill?

**Hon Jim Wilson (Minister of Health):** Having consulted widely with the Ontario Hospital Association prior to the drafting of the bill, I was personally quite concerned to read that press release from them today.

Two things on the authority to close or merge hospitals: That was discussed with the Ontario Hospital Association. I have before me a document that they gave to the Finance minister and me when we had the round table discussion at the Finance minister's office.

It says, "Make appropriate changes to the Public Hospitals Act and advocacy and consent acts; affirm the government's commitment to hospital voluntary trustee governance," which we've done; "make clear its intentions regarding individual hospital restructuring reports"—we're doing that through this act; "proceed with the long-term care act repeal or amendment to eliminate MSAs"—we're moving on that front; "continue to implement" the road safety project. It goes on to talk more about giving hospitals flexibility to establish crown foundations.

Mr Speaker, I'll make this public: I have 23 of the 26 recommendations that the OHA asked for. They told us it is unprecedented that any government's responded as extensively as we have; 23 out of 26 recommendations in the pre-economic-announcement discussions, and we responded fully, so I was disappointed. I think there's a little bit of politics going on in the OHA. I went to school with some of the folks over there and I appreciate the fact.

Having said that, I will be meeting with the OHA tomorrow. We will be arranging a meeting. They know that. They know my door is always open. I'm disappointed they decided to do this through press release

rather than give me a call, because in the discussions that we're having with them today at the staff level, my understanding is we're not quite sure what they're trying to get at here. We've done simply what they asked us to do and we've done what the Metropolitan Toronto District Health Council, in a provision of its report, has asked us to do with respect to restructuring.

**Mr Rae:** The minister will learn, as we all have learned in office, that you don't always have the friends you think you have or have them for very long. You will find that when they ask you to do 25 things and you do 23, they will always ask you about the other two. So I'd make that observation.

But perhaps the public might be permitted some questions about what is their access to the minister. The hospital association now, you've just told us, had a closed meeting with you and the Minister of Finance—

**Mr James J. Bradley (St Catharines):** Behind closed doors.

**Mr Rae:** A closed-door meeting in which they asked for 25 things which directly affect the rights of the public in terms of long-term care, in terms of all sorts of things which the public is concerned about.

**Mr Bradley:** No public, no media.

**Mr Rae:** The public doesn't get a word in there. Now you're telling us that you're prepared to consider amendments which, we're told by the OHA from its press release, its bulletin—they have said, "We're having a meeting with senior ministry officials to formulate amendments," because there's no appeal procedure for closure of hospitals, there's no way in which the minister's unilateral judgement can be questioned by anybody, not even the Premier, according to this. No one.

No one has the power to override the unilateral, single decision of the minister. The minister alone has the power to decide which hospitals will open and which hospitals will close. A budget of over \$7 billion, over 200 public hospitals in the province, many of them with a history of over 150 years, and you're the only person in the province who can decide whether that institution will live or that institution will die.

The hospital association says, "Whoa, wait a minute; maybe that's a little bit too much power to give to one poor soul." They might be permitted to have that view. I wonder, would the minister tell us why he thinks he alone, of all the citizens of the province, should have that much singular power? Where are the limits to your power, sir? What are the limits to your discretion? There are none of any worth in the act.

**Hon Mr Wilson:** In the letter to the Finance minister from the Ontario Hospital Association dated October 26, it says, "Restructuring: the key to long-term savings."

"In order to continue to restructure at the local and regional level, hospitals will need a strong government commitment to adequate, long-term funding stability." We've lived up to that commitment. "We will also need the government to demonstrate the political will and provide funding necessary to permit restructuring."

*Interjections.*

**The Speaker (Hon Allan K. McLean):** Order. The member for Oriole is out of order.



**Hon Mr Wilson:** This bill signals both the political will and the recognition that dollars will need to be shifted from the operating side to the capital side to proceed.

"Restructuring is one of the key elements of health care reform in this province. It will lead to improvements in efficiencies and rationalizations as well as possible mergers, amalgamations and closures of institutions. In the long term, significant savings will be generated. However, restructuring must maintain principles of access and quality of care."

I don't think it could be clearer in what they asked us to do. We discussed how we would go about doing a massive restructuring of the hospital system as recommended by the local people through the district health council in Metro Toronto, by example.

With respect to public hearings, I've already said, and I'd be happy to reiterate, that we welcome the scrutiny of public hearings and I hope that your party and you as leader of your party will take up the offer and continue to discuss this with the House leader, because we certainly welcome public hearings on this matter.

**Mr Rae:** The minister has the power to cut anybody off who he disagrees with. He has the power to cut anybody down who criticizes him in public. He has the power to decide to go into a community and to say, "I like that hospital; I don't like that hospital," and close them. There is nothing in this act, under section 6 on page 49; there is no appeal procedure, there is no process procedure, there's no guarantee of a hearing, there's no access by the public.

The Attorney General should be concerned. This grants more power to a single minister of the crown with respect to the public health of this province than we have ever granted to an individual in the entire history of Ontario. It's postposterous.

Section 6, under page 49, gives you more powers. You have powers to do absolutely anything you want. You have more power than anyone. You become absolutely lord of the entire system. Technically speaking, you are the dictator of this system. You dictate what will happen, you dictate who will receive money, you dictate who will be cut, you dictate everything. You become the dictator.

1500

Why would any Legislature in its right mind—why would the public of Ontario want to give to one individual, whether he was a New Democrat or a Liberal or a Tory, the kind of powers that you're assuming in this act? It's ridiculous—

**The Speaker:** The question has been asked. Minister?  
*Interjections.*

**The Speaker:** The member for Oriole is out of order.

**Hon Mr Wilson:** A former Premier of this province should know that since 1931 the Minister of Health in this province has had the power to cut off funding to hospitals and hence put them out of business, close hospitals. That has always been a power in the Ontario Public Hospitals Act. We think that is the wrong way to go about bringing efficiencies and quality and to go about restructuring the hospital system.

Therefore, on the advice of our partners, on the advice of local communities, we are putting in place a system whereby a Health Services Restructuring Commission will be able to, at arms's length from government, use the authority in the act to work with local communities to implement—not write, but implement—their restructuring reports as recommended. That is exactly what the bill says. The bill says this authority will be delegated to a Health Services Restructuring Commission, if you read on a little further.

Starving hospitals to death is wrong. We needed a new approach that works in partnership with the communities to help them implement their studies and to take the politics out of health care, and that's why we're setting up a Health Services Restructuring Commission, to work on implementing the studies that are done by local communities.

**The Speaker:** New question, the member for Oriole.

**Mrs Elinor Caplan (Oriole):** My question is also to the Minister of Health, and I want to continue to raise concerns about the extreme and absolute powers that he is giving to himself in regard to Ontario's hospitals.

On November 23, prior to the introduction of Bill 26, you told this House that any changes you were contemplating for the Public Hospitals Act were being made at the request of your partners, the Ontario Hospital Association. I quote the minister: "In meetings recently with the Ontario Hospital Association, they have asked us to consider a number of tools that they would like in place and would like this government to consider."

Well, here's what the OHA, the Ontario Hospital Association, has to say in a news release yesterday, "The amendments to the Public Hospitals Act go far beyond what is required in terms of restructuring alone and undermine the principle of voluntary hospital governance in this province." The minister is not listening. The Ontario Hospital Association goes on to say, "Our major concerns are with the scope of the power that the legislation confers on the minister to unilaterally intervene in the operation of a hospital not only to close and/or merge a hospital or hospitals but also to specifically define the services that a hospital will provide." The Ontario Hospital Association says that, "Public input is needed before Bill 26 is passed before Christmas," as is the intention of this government.

Minister, why are you and your colleagues, the Premier, the Minister of Finance, ramming this legislation through this Legislature? Why won't you take the advice of your partners, the Ontario Hospital Association, who say that this bill goes too far in conferring absolute powers on you? Why will you not hold full public hearings?

**Hon Mr Wilson:** To the honourable member for Oriole, yes, we are offering public hearings on this. We are talking today with the Ontario Hospital Association. Hopefully, I'll be meeting with David Martin tomorrow to see what he means, because it's not what he said to me personally, and I'll find out what he means. If they or the honourable member have any constructive suggestions in terms of amendments, I'd be very, very pleased to take those into consideration.

**Mrs Caplan:** The minister is prepared and this government is prepared to ram this bill through the Legislature by December 21, before Christmas, with very, very limited public hearings—unacceptable to the people of this province and unacceptable to the Ontario Hospital Association.

On July 26, 1993, the Minister of Health, then the Health critic, spoke against the government of the day, the NDP's Bill 50, a piece of legislation which he knows and he believed gave that Minister of Health powers and was pushed through the Legislature in what I felt was an unfortunate manner.

But here is what Jim Wilson, Health critic, had to say at that time: "I think cabinet ministers should take...an oath to the people of this province,...such an oath that would require cabinet ministers...to go to the public when they want to make major changes..., when they want to make a draconian power grab unto themselves, to tell every patient in this province: what services he or she will be entitled to under medicare...."

That's what Jim Wilson had to say in this House. That's what he said when he was Health critic just two short years ago. Minister, you're a disgrace to the office. Minister, isn't that exactly what you are doing now in attempting to ram through changes to the Public Hospitals Act, changes that your partner, the Ontario Hospital Association, says go too far, powers that are absolute and allow you to dictate to every hospital in this province? Minister, how can you contradict yourself? How can you cross the floor and do exactly what you accused the government of doing when you were Health critic?

**Hon Mr Wilson:** When all three parties tell us they endorse restructuring, and when you then go to your partners and they tell you what tools they need and you put them in legislation, and now we get all kinds of concerns expressed—I want to tell you what Murray MacKenzie, who's the chief executive officer of North York General Hospital, did on Saturday. He went to the Attorney General's constituency office. This is a gentleman who endorsed the Liberals' red book. He expressed his frustration and concern with the fact that opposition members in this House are stalling the government from getting on with setting up the Health Services Restructuring Commission, setting up the commission and getting on with hospital restructuring and bringing all those political games back into the process. That's someone who endorsed the Liberals' red book and their provisions on health care.

1510

**The Speaker:** New question, the leader of the third party.

**Mr Rae:** We're now accused by the minister of stalling legislation that wasn't even called when the accusation was made. It's a little hard.

I'd like to ask the minister to get out his copy of the bill and have a good look at section 6 of schedule F, page 49. Have a good look at it.

**Mr Bradley:** All the other Tory members get yours out.

**Mr Rae:** If you have your copies, get them out as well. I want the minister to know that this is what the Ontario Hospital Association objects to, and this is what any rational person would object to, because it says,

"6.(1) The minister may direct the board of a hospital to cease operating as a public hospital on or before the date set out in the direction where the minister considers it in the public interest to do so."

It then goes on to say,

"(2) The minister may direct the board of a hospital to do any of the following on or before the date...:

"1. To provide specified services....

"2. To cease to provide specified services."

"3. To increase or decrease the extent or volume of specified services."

It then goes on to say:

"(5) The minister may make any other direction related to a hospital that the minister considers in the public interest."

This is not restructuring; this is not a community-based process. I have gone to bat for restructuring, I have been heckled for restructuring, I've been criticized by you, Minister, for restructuring, and now I want to say directly to you, sir, where do you get off with giving yourself this kind of power where it is not necessary? We don't need this to effect restructuring in the system. This is arbitrary power, arbitrary and capricious, under those definitions.

There is nothing in this act which restricts your power, other than your own personal definition of what you think is in the public interest to do. You don't even have to consult with the Premier, let alone your caucus colleagues.

As for Mr MacKenzie from the North York hospital, I'm glad he's happy. Maybe he's not on the list. Maybe if you talk to the folks at Branson, you wouldn't get quite the same response, because they know they're on the list. The people who are on the list are worried. They're worried about due process; they're worried about fair treatment; they're worried about their right to appeal; they're worried about what happens to their community facility. As Minister of Health, you have a responsibility for those people just as much as I do.

**Hon Mr Wilson:** The authority mentioned in the section quoted by the honourable member does not differ significantly from the authority currently bestowed upon the minister in the Public Hospitals Act through the appointment of supervisors. We know that in a couple of cases in the last 10 years—and this authority in the past has been used rarely and the intention in the future is that it be used scarcely and rarely—it was to send in supervisors to work with boards, at times to dismiss boards, to change the operations of a hospital. It is a very rarely used provision.

This new wording gives greater protections than the old act, because "in the public interest" is clearly defined earlier in the bill. "In the public interest" is the same safeguard and limitation that the Honourable Elinor Caplan, when she was Minister of Health, introduced into



the Independent Health Facilities Act. We have simply taken that provision, which was good enough back in 1988-89 to limit the powers of the minister, and put it in this bill to ensure that we do limit the powers of the minister, that there is a high test, and the test is "in the public interest," and that these powers be used in a limited and rare way.

The indication I'm getting from even affected hospitals and their chief executive officers and chairs is that they will tell you, at least privately, that restructuring is long overdue: "Get on with it." They've been very cooperative, I say to the member for York South, they've presented their cases in round two now before the district health council, they are approaching this issue in a factual way and bringing their facts and cases to the district health council. It's clear to us in cases like Sudbury and otherwise that it's very unfair to ask the same people who wrote the district health council restructuring reports to also try and implement those reports, so this legislation is to be used to help local communities implement their reports.

**Mr Rae:** I would say with great respect to the minister, have a look at sections 5 and 6 of the Public Hospitals Act, which I knew he was going to refer to, so I went out and got it:

"The minister may pay provincial aid to hospitals in such amounts, in such manner and at such times as the regulations prescribe."

That was the section that prevented Frank Miller from closing the hospitals that he wanted to close in the 1970s. Everybody knows that; everybody in this House can take notice of that fact and take judicial notice of it.

If you're saying you're not going to exercise these powers, that in fact you don't even need them—I mean, you don't want them and they're certainly not different from anything that's already in place—then I might ask a simple question: What's the rush? What's the hurry? If you don't need this legislation to save the money—the Minister of Finance is telling us: "I need this legislation tomorrow. The credit card has run out. It's \$1 million a second, it's all the 10 lost years. Give me the bill." The Minister of Health says: "I don't need these powers. What do I do with these powers? I have enough power as it is. What would I do with these new powers in the bill?"

Give me a break. Make up your minds. You're taking on these powers because you intend to use them. Otherwise, what government in its right mind would give the minister the kind of powers you've got if you didn't intend to fully exercise them? It doesn't make any sense.

**Hon Mr Wilson:** The authority contained in the act is intended for use, if needed, by the Health Services Restructuring Commission—if needed.

*Interjections.*

**Hon Mr Wilson:** No, I've said this all the way along. I have no indication from the Metropolitan Toronto District Health Council, its study and the people affected and not affected indirectly or directly in that study, that there won't be a cooperative effort made over the next few months to move forward on that restructuring. To say

we're going to use these powers on such and such a date is ridiculous at this point when there's no indication that they will have to be used.

However, they do signal very clearly, as the OHA and others have asked us to do, that the government is serious about moving forward with restructuring. The whole system has been recommended by the district health council itself, and I'm confident that the people on the committee—

**The Speaker:** The question has been answered.

YOUNG OFFENDERS

**Mrs Lillian Ross (Hamilton West):** My question is to the Attorney General about the perceived rise in youth crime. Ontarians across this province are deeply concerned about the perceived rise in youth crime. Criminal habits developed by these young people may stay with them all their lives, with long-term cost to themselves and society.

I would ask the Attorney General if his ministry has had discussion with the federal government about strengthening the Young Offenders Act.

**Hon Charles Harnick (Attorney General, minister responsible for native affairs):** The member for Hamilton West asks a very important question, because the government is very concerned about youth crime. We had, prior to the election, consultations all over the province, and people told us that they don't have confidence in the way the Young Offenders Act works. They don't have confidence that the Young Offenders Act is a deterrent to youth crime, they don't have confidence that it rehabilitates young offenders, nor do they have confidence that young offenders are held responsible for their actions under the Young Offenders Act.

There's currently a federal-provincial-territorial task force that's reviewing the juvenile justice system, and it's expected that it will report in early 1996. We will support all recommendations that promote public safety and that promote deterrence and rehabilitation of young offenders.

We also will be taking part in the federal government's task force that will be reviewing the Young Offenders Act and further amendments to that act.

1520

MINISTER'S COMMENTS

**Mrs Elinor Caplan (Oriole):** Point of order.

**The Speaker (Hon Allan K. McLean):** The member for Oriole on a point of order.

**Mrs Caplan:** I have two points of order, Mr Speaker. I refer to page 18, section 23(m), which allows a member on a point of order to introduce "any matter in debate that in the opinion of the Speaker offends the practices and precedents of the House." There are two matters I would like to bring to your attention.

Today, in response to a question from the leader of the third party, the Minister of Health suggested that Bill 26, the regulation and the requirement that would deregulate drug pricing in the province, was needed because of a court case that had made this requirement of deregulation necessary. He was very specific in his response and I'm waiting for Instant Hansard, to have those exact words.

I would refer you, when you're examining this, Mr Speaker, to page 90 of Bill 26, subsection 31(1), when we're talking about unprecedented legislation. I'm glad the Attorney General is here because I think he should be aware of what this bill does.

"31(1) An order by a court made in any of the following proceedings shall be deemed to be of no effect:

"1. The application for judicial review by Apotex, Inc in the Ontario Court (General Division), court file number 670/93" and

"2. The application for judicial review by Apotex, Inc in the Ontario Court (General Division), court file number 173/95."

The Minister of Health today said that the reason he was introducing drug pricing deregulation was because he was forced to do that because of this court case. What the minister has in fact done is that he has said to an individual who petitioned to the court because he believed the law was unjust and unfair, a corporation in this case, that the judgement of that court is deemed to be of no effect in regard to those two cases.

My point of order is that I believe the Minister of Health introduced a matter into the House which the Speaker should review because I think it offends the practices and the precedents of this House. If you examine this bill, Mr Speaker, I don't think you will find legal precedent anywhere where two court actions are specifically named and a court order is deemed to be of no effect. I ask you to review that and censure the Minister of Health if he has offended the precedents and practices of this House.

My second point of order also refers to statements the minister made. Mr Speaker, you know and I know that all members of this House are deemed—that is the right word—to be making factual and truthful statements. I would refer again to page 18 of the standing orders, section (m): "Introduces any matter in debate that in the opinion of the Speaker offends the practices and precedents of the House."

Yesterday, in response to questions from both me and my leader, the Minister of Health responded in the following way, and I refer you to Hansard, Mr Speaker, pages 1273, 1274 and 1278 for your consideration.

On page 1274 the Minister of Health, Mr Wilson, said: "Again the honourable member for Oriole is in error. This is not an unprecedented power."

He went on to say that very similar powers: "are now bestowing in the OHIP area to ensure that we stem both patient fraud and also any provider fraud that might be going on in the system. We want to make sure that where needed, the officials—and it's not the Minister of Health, it's officials—have the authority."

Further on, and I'm not going to quote the whole passage, it also says: "The people of Ontario should not get worried. This is not unprecedented and it is not new."

Further, on page 1278 of Hansard, in response to a question from my leader, the Honourable Mrs McLeod, Mr Wilson, the Minister of Health, said: "Second, with respect to the release of patient information, which I think the honourable member is implying, certainly that is not allowed under this act, because the override is the

Freedom of Information and Protection" of personal privacy legislation. The minister goes on, once again, to say that Mrs McLeod is in error.

We know, following discussions with the Freedom and Privacy Commissioner of this province, that the Minister of Health never consulted the commissioner, who is the authority on the freedom of information legislation.

When he said to me and to the leader of our party, the Leader of the Opposition, Mrs McLeod, that he is not taking unprecedented powers, that there is nothing new and nothing for the people of Ontario to worry about, I believe that offends the practices and the procedures of this House. Clearly, when you have an opportunity to read this bill you will find that the truth is that the Minister of Health is taking new and unprecedented powers.

I would like to quote them for you so you can consider them when you are reviewing this, and I draw your attention first to page 91. These are new powers, unprecedented powers, which the minister says he is not taking unto himself. On page 91, schedule H, subsection (4.1): "The minister may enter into agreements to collect, use and disclose personal information concerning insured services provided by physicians, practitioners or health facilities." This is a new power. In the past, ministers were only permitted to get eligibility information in this regard.

Secondly, on page 101, section 21 says:

"Section 29 of the act is repealed and the following substituted:

"(1) Every insured person shall be deemed to have authorized his or her physician or practitioner, a hospital or health facility which provided a service to the insured person and any other prescribed person or organization to give the general manager particulars of services provided to the insured person."

I don't want to try the patience of the Speaker. I'm referring him to that section; I'm not going to read the whole thing. But what is new, very new, is clause (d). Clause (d) says "for such other purposes as may be prescribed." This gives to the minister not only broad-ranging, arbitrary and absolute new powers; it also gives him the broadest regulatory powers.

Further, it goes on, and this is new, "(2) The minister or the general manager may disclose information obtained under the act if the minister or the general manager, as the case requires, is of the opinion that the disclosure is necessary." You've heard the rest and I'll refer you to that section; it's subsection (2).

Never before in the history of Ontario has any Minister of Health—and I've sat in that chair, so I know this for a fact—never has any Minister of Health had the authority or the power to have patient information given to them. Only the general manager had that authority and he was bound by confidentiality. I would refer you to subsection (4), which says, "No action lies against the minister or general manager"—could I just complete this? I'll be very brief.

As you review these sections of the legislation, there is one other section on page 107, subsection (6) under



"Obligation" that I ask you to review. When the Minister of Health said to this House that I was in error in my interpretation of the legislation, that the legislation is overridden by the Freedom of Information and Protection of Privacy Act, and he said that notwithstanding the fact that he did not consult with the freedom of information commissioner, and then went on to say not to worry, I ask you to see if in fact he had offended the present practices—

**The Speaker:** I've heard enough. Thank you. I think it's important that it's on the record and it'll be reviewed.

The member for St Catharines.

**Mr James J. Bradley (St Catharines):** Mr Speaker, I could move adjournment of the House, but I want to wait and ask you first if you will give us a recess so we'll have an opportunity to discuss certain matters with the government House leader and the House leader of the third party to determine where we're going with this bill.

**The Speaker:** Do we have unanimous consent? No.

**Mr David S. Cooke (Windsor-Riverside):** Point of order, Mr Speaker.

**The Speaker:** Point of order, member for Windsor-Riverside.

**Mr Cooke:** I move adjournment of the House.

**The Speaker:** I have to move to a procedure before there can be any further business done.

#### MOTIONS

##### ORDER OF BUSINESS

**Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader):** I move that the House do now proceed to orders of the day.

*Interjections.*

**The Speaker (Hon Allan K. McLean):** No, it's undebatable.

All those in favour of the motion say "aye."

All those opposed say "nay."

In my opinion, the ayes have it.

Call in the members. A 30-minute bell.

*The division bells rang from 1531 to 1601.*

**The Speaker:** Members take their seats, please.

All those in favour of Mr Eves's motion will please rise one at a time and remain standing.

All those opposed will please rise.

*Interjections.*

**The Speaker:** If members are in the chamber, they have to vote.

All those opposed?

Under standing order 28(c), "When the members have been called in, the Speaker shall again put the question and every member present at that time, subject to standing order 12, shall record his or her vote."

I'll ask once again that those who are opposed would rise. I have no alternative but to enforce the standing orders of this Legislature. If the members are not going to vote, then I will have to name the members. The rules of the House are very clear.

*Interjections.*

**The Speaker:** I'll start with Mr Grandmaître. If he's not going to vote, I have no alternative but to name him. I would ask the member if he would leave the chamber, please. Sergeant at Arms.

*Mr Grandmaître was escorted from the chamber.*

**The Speaker:** Mr Curling, if you are not voting, I have no alternative under the standing rules but to name you.

*Interjections.*

**The Speaker:** Mr Curling has been named.

**The Sergeant at Arms (Mr Thomas Stelling):** Speaker, I believe force is required.

**The Speaker:** Under standing order 15(d), "If any member who is suspended from the service of the House refuses to obey the direction of the Speaker when summoned under the Speaker's order by the Sergeant at Arms, the Speaker shall call to the attention of the House that force is necessary in order to compel obedience and any member named by the Speaker as having refused to obey his or her direction shall thereupon, without any further question being put, be suspended from the service of the House during the remainder of the session."

**Interjections:** Shame, shame, shame.

**The Speaker:** I will recess the House until the order is clear.

*The House recessed at 1609 and had not resumed by 2400.*

**LEGISLATIVE ASSEMBLY OF ONTARIO  
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

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Hamilton Mountain	Pettit, Trevor (PC)		
Hamilton West / -Ouest	Ross, Lillian (PC)		



Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
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Prescott and Russell / Prescott et Russell	Lalonde, Jean-Marc (L)	Simcoe West / -Ouest	<b>Wilson, Hon / L'hon Jim</b> (PC) Minister of Health / ministre de la Santé
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		Yorkview	Sergio, Mario (L)

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Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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Wednesday 6 December 1995

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First Session, 36th Parliament

Assemblée législative  
de l'Ontario

Première session, 36<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

Monday 11 December 1995

Lundi 11 décembre 1995



Speaker  
Honourable Allan K. McLean

Président  
L'honorable Allan K. McLean

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers



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LEGISLATIVE ASSEMBLY  
OF ONTARIOASSEMBLÉE LÉGISLATIVE  
DE L'ONTARIO

Thursday 7 December 1995

Jeudi 7 décembre 1995

## MOTIONS

## ORDER OF BUSINESS

*The House recessed at 1609 on Wednesday 6 December 1995.*

*Mr Curling was escorted from the chamber at 1011 on Thursday 7 December 1995 and the House resumed at 1015.*

**The Speaker (Hon Allan K. McLean):** When I left the chamber last we were in the midst of a vote. We will proceed.

All those opposed to the motion will please rise.

**Clerk of the House (Mr Claude L. DesRosiers):**  
The ayes are 55, the nays are 30.

**The Speaker:** I declare the motion carried.

It being past 12 of the clock, this House stands adjourned until 1:30 next Monday.

*The House adjourned at 1019.*





# LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 11 December 1995

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 11 décembre 1995

*The House met at 1334.*

*Prayers.*

## MEMBERS' STATEMENTS OMNIBUS LEGISLATION

**Mr Dwight Duncan (Windsor-Walkerville):** I rise today to talk about Bill 26, a powerful bill that gives to the Conservative cabinet dictatorial powers to do things that are unprecedented in our democracy.

It's clear to us now, after having read the bill, why the Conservatives had wanted to rush it through without public input. The Conservatives know that if the public knew what was in the bill, if their own backbenchers knew what was in the bill, there's no way their own backbenchers would let them get away with it.

This bill allows the Minister of Health to single-handedly close any hospital. It gives the minister access to confidential health records. It creates new user taxes on senior citizens, the poor and disabled.

Bill 26 and the way the Tories introduced it remind me of an old Christmas story:

'Twas the week before Christmas and all through  
the House,  
Tory backbenchers were stirring, wondering what  
Bill 26 was about.

Closing hospitals, raising taxes, the Premier did say,  
That's not what we promised, thought backbenchers  
with dismay.

The revolution was written by the Premier with care,  
Words of user fees or poll taxes could never ever be  
there.

When all of a sudden there arose such a clatter—  
the Liberals were screaming—  
The Tories finally realized something was the matter.  
Everyone was happy till the Conservatives came on  
the scene,  
Now all we have in Ontario are policies that are mean.  
Bah, humbug, and shame on all of you.

## SPRUCE FALLS INC

**Mr Len Wood (Cochrane North):** Today I want to talk about the success of Spruce Falls in Kapuskasing. It was November 1991 when the people of Cochrane North and the employees of Spruce Falls came up with the money to be part of the employee-owned paper mill.

Battling difficult economic times, 980 employees and 470 non-employees managed to contribute over \$14 million in a short period towards the purchase of this company. The effort reflected a strong belief by the people of Cochrane North that the company would survive under their stewardship.

And survive it has. Spruce Falls has had a record-breaking fiscal year and shareholders are smiling. For the 1995 fiscal year, Spruce Falls generated net earnings of \$50 million, compared to \$16.7 million last year. The increase in earnings is mostly due to higher selling prices of newsprint and specialty printing papers.

Improvements were made at the mill over the last year. Some \$20 million was spent to complete the construction of a new sawmill, \$16 million towards the construction of a thermo-mechanical pulp line and over \$11 million was used to upgrade the number one paper machine. Also, Spruce Falls Inc sold nearly 4 million shares of Mallette to Tembec and made \$1 million for the company.

Spruce Falls Inc employees own 52% of outstanding shares of Spruce Falls Acquisition Corp; 41% of the shares belong to Tembec, a top pulp and paper producer; and the remaining shares are owned by residents of Kapuskasing and surrounding communities.

The NDP government facilitated negotiations—

**The Speaker (Hon Allan K. McLean):** The member's time has expired.

## HUMAN RIGHTS

**Mr Tony Clement (Brampton South):** For everyone who values equal rights and opportunities, dignity and mutual respect among all people, December 10 has a profound meaning. On that date 47 years ago, the nations of the world came together to sign the Universal Declaration of Human Rights. Its principles are reflected in the Ontario Human Rights Code, making discrimination illegal in our province.

To commemorate December 10 as a landmark date, the United Nations declared it International Human Rights Day. It is an opportunity for all of us to pay tribute to the continuing struggle to recognize human rights as the foundation for liberty and social justice in the world.

International Human Rights Day follows by one week the date proclaimed by the UN as International Day of Persons with Disabilities. Its goals are to promote understanding and to ensure equal opportunities for all.

I encourage everyone to help raise awareness of both of these two days.

As an Ontarian, an MPP and parliamentary assistant to the Minister of Citizenship, Culture and Recreation, I am proud that our government is hard at work on our equal opportunity plan. It will help make sure that the principles of human rights, including equality of opportunity, will be foremost in the minds of Ontario's employers. Built on fairness, this plan will have a positive effect for all Ontarians.

The Ministry of Citizenship, Culture and Recreation is taking the lead in developing an equal opportunity plan



that will support the efforts of employers and employees to have workplaces where hiring and promotion decisions are based on merit.

Our government's plan will help us reach the goals of the International Human Rights Day and International Day of Persons with Disabilities not just one day of the year, but 365 days of the year, every year.

1340

#### OMNIBUS LEGISLATION

**Mr Gerry Phillips (Scarborough-Agincourt):** I too want to talk about what's called Bill 26, which is the omnibus bill, just to say to the public what this fight is all about.

It was only 11 days ago that this bill was introduced in the House, when, I might add, most of us were in what's called a lockup. It was dropped on our desks without any notice, in our opinion deliberately, and it was the government's intention that this be the law of the land this Thursday: 15 days from the time it was introduced to the time it was law.

It fundamentally changes Ontario. It gives the minister the right to release confidential medical records, to unilaterally tell hospitals what services they can provide, to set user fees on seniors, to take \$225 million out of the pensions of people who are going to be laid off by exempting them from a law called the Pension Benefits Act, to introduce poll head taxes, to take away some fundamental bargaining rights from a whole group of people in this province: all being done in 15 days.

That's what that fight was all about last week. We had a simple request—"Give us four more weeks to look at this bill"—and that was being denied by this government. That's why I salute my colleague Mr Curling for taking a stand on a fundamental right.

#### LONDON DEMONSTRATION

**Mr David S. Cooke (Windsor-Riverside):** Today, thousands of people have gathered in London to express their upset—

*Interjections.*

**The Speaker (Hon Allan K. McLean):** Order.

**Mr Cooke:** They're obviously very sensitive, Mr Speaker.

Today, thousands of people have gathered in London to express their upset in a day of protest against this government. We must ask ourselves why. It's very clear.

Bill 7 is part of the reason why people are in London today. There was a complete rewrite of the Ontario Labour Relations Act in a matter of weeks, much more than anything that was contemplated in the Common Sense Revolution. There was no consultation. There were no hearings. There was no democracy.

People are also in London today because they're upset with social assistance cuts, children's services cuts, cuts to our health care system when there were promises that there would not be cuts to our health care system, cuts to education when there were promises there would be no cuts to our classroom education. Again, no consultation, no hearings, no democracy.

Why are people upset? They're upset because this is their province and they have a right to be part of the discussions and the decisions about the future of their province. Eighty-two members of provincial Parliament in the Tory caucus do not have the right to act like a bunch of dictators. That's why people are in London.

GEORGE GARDINER

**Ms Isabel Bassett (St Andrew-St Patrick):** I am pleased to rise in the House today to recognize the generosity and leadership of George Gardiner, an outstanding philanthropist and, I might add, one of my constituents in St Andrew-St Patrick.

Last Wednesday, the Council for Business and the Arts in Canada presented the \$20,000 Edmund C. Bovey Award to George Gardiner in recognition of his leadership in support of the arts.

In accepting his award, George Gardiner warned that given the country's fiscal crises, governments won't be able to continue funding the arts to the same degree as they have done in the past. Mr Gardiner called on those who believe in the importance of the arts to urge the private sector to give even more. And in the spirit of generosity and leadership so characteristic of this man who donated his ceramic collection, together with the funds to build the George R. Gardiner Museum to house the collection, George Gardiner donated his \$20,000 prize money back to the arts, half of it going to the arts and media administration program at York University and the other half to the George R. Gardiner Museum.

The Council for Business and the Arts in Canada is hoping that others in the private sector will follow George Gardiner's example by making private donations.

#### GOVERNMENT HOTLINES

**Mr Bruce Crozier (Essex South):** I was flipping through the new government of Ontario telephone directory last night and I thought there might be some phone numbers of interest to the folks at home.

If you're concerned about your safety after deep cuts to snow removal or emergency roadside services, give the Minister of Transportation, Mr Palladini, a call. His number is 1-800-NEW-LIMO. He can also be reached on his cell phone at 1-800-DOG-SLED.

If you want to chat with the Minister of Health about the Conservatives' countless broken promises in health care, just call 1-800-HUGE-CUT, and if you're a senior citizen he even has a special number for you: 1-800-USER-FEE.

Got a question for Mr Tsubouchi or simply want to talk to his \$25,000 image consultant? Just call 1-800-EAT-TUNA, and if the line's busy, try 1-800-CUT-POOR.

Want to ask the Treasurer why every penny of his \$5-billion tax cut will be added to the debt? Give Mr Eves a call. His number is 1-800-CUTS-R-US, but you'll probably be cut off.

However, if you want to get the real goods, I have to tell you my mother, Lorna, my father, Ernie, and my wife, Joan, are in the members' west gallery today, and when they want the straight goods they call 1-800-CALL-SON.

## SPENDING REDUCTIONS

**Ms Shelley Martel (Sudbury East):** While some Conservatives might want to view the workers protest in London today as a special-interest protest, they would be well advised to take a serious look at what is happening in Ontario now in response to the Harris cuts.

On Saturday morning in Timmins in the bitter cold, some 200 people marched through the downtown core to protest the Conservative cuts. They represented social service agencies, seniors' groups, the disabled, native organizations, trade unions and those concerned about child care.

A similar cross-section of the community was out in North Bay on November 2, in a rally organized by the Nipissing Coalition of Social Justice. Some 600 people protested outside a \$175-a-plate Tory fund-raiser held in the Premier's home town.

In Sudbury on November 24, 1,200 people stood out in the freezing cold to draw attention to the Conservative cuts. The event occurred outside a hotel where a \$150-dollar-a-plate Tory fund-raiser was under way. The demonstration was notable not only because of the many and varied groups that chose to participate, but because the security measures put in place exceeded those used for Bob Rae's visit and for Prime Minister Chrétien's visit to Sudbury in 1994.

Mike Harris's response to this protest clearly emphasizes why there will be more protests and why they will get bigger. He told the media, "I didn't see the mothers and wheelchairs." I guess not, because with the security measures in place, he never would have gotten close enough to the crowd to see who was there. The fact is, the mothers were there, the disabled were there, children were there, trade unionists were there, churchgoers were there and the list goes on and on.

While the government might want to continue to mock all of those who come out to express their concern, this government can't continue to operate in the high-handed and arbitrary fashion that it has and expect that there won't be some serious consequences.

## HIGHWAY 416

**Mr John R. Baird (Nepean):** For decades now, provincial governments have talked about the need to build a four-lane highway linking Ottawa-Carleton to the rest of the province of Ontario. Today Ottawa-Carleton, the second-largest region in the province, the national capital of Canada, lacks a major transportation route.

Toronto, Barrie, Guelph, London, Windsor, Hamilton, Niagara Falls, Kingston and Cornwall all have a four-lane highway connecting them to the rest of the province, but Ottawa-Carleton does not. All that changed when Mike Harris made a clear commitment to complete Highway 416; no ifs, ands, buts or tolls.

True to his word, Mike Harris is following through on yet another election promise. We said we would complete Highway 416, and we are. On Friday, Transportation Minister Al Palladini announced this government's funding commitment to finish Highway 416 by the year 2000.

A four-lane highway is key to economic development in the region. In addition, it's a question of public safety.

Each year, accidents take more and more lives on what has become an overcrowded and congested death trap.

For too long the residents of Ottawa-Carleton have felt that the provincial government has simply ignored them. In just under six months, Al Palladini has done more for Ottawa-Carleton's economic development than the two previous governments accomplished in more than 10 years.

People in my region are always suspicious when someone arrives and says, "Hi, I'm from Toronto and I'm here to help." Al Palladini has accomplished the impossible: He's giving politicians from Toronto a good name.

1350

## ROLE OF THE SPEAKER

**The Speaker (Hon Allan K. McLean):** With the forbearance of the House, I would like to take a few minutes to contemplate the events of last week.

The refusal of certain members to vote on Wednesday last and the subsequent disregard for the authority of the Chair caused this House to be in deadlock for several hours. I would urge all members to reflect on these events, not in terms of what ends may have been achieved, but rather in terms of their effect on the institution of Parliament. Certainly, there have been occasions in the past when the business of this House has been impeded by the actions of one or more members. However, the circumstances in which we found ourselves last week are unprecedented.

There have been a number of comments and reports with respect to what the Speaker may have or may not have done in this particular situation, and I must admit there were times when I myself was tempted to pursue another course of action. However, any action that a Speaker takes in these kinds of circumstances must be considered carefully, mindful of the rules by which this House is governed. Standing order 28(c) is clear. During a division in this assembly, every member present must vote.

While we do have two precedents in this House that suggest a Speaker might cast a vote in the name of the offending member, they conflict in their application. We have more recent and consistent precedents that define a course of action for the Speaker to take. Members will know that course of action to be to name the member who refuses to vote.

The authority of a Speaker to name members of this House for disorderly or unparliamentary conduct is time-honoured. It is a tool that the Speaker may use to facilitate the function of Parliament. The use of force to ensure compliance with a decision of the Speaker has never before been required in this House. It is my fervent hope that it is never required again.

The degree of force to be used to remove a member from this House is a decision for the Speaker to make. Any such decision must be considered with great care. The consequences of any further action on my part last week would, in my view, have had devastating consequences for the future of this House.

The Speaker has a responsibility to facilitate the work of Parliament, but circumstances such as we saw here last



week are beyond the control of the Speaker. On March 18, 1982, upon the conclusion of two weeks of bell ringing in the House of Commons in Ottawa, Speaker Sauvé had this to say:

"The authority of the Chair is no greater than the House wants it to be. When the rules are clear and offer precise guidance to the Speaker, the authority of the Chair is absolute and unquestioned, for this is the will of the House. On the other hand, when there are no rules to fall back on, the Speaker must proceed very cautiously indeed. The most the Chair can do is to lay the matter before the House, which can then itself create a new precedent."

It is my hope that we never again see a situation such as we saw last week. If we do, the Speaker will have a responsibility to consider the new circumstances with great care, keeping uppermost in his or her mind the future of this great institution that we serve.

#### ORAL QUESTIONS

##### PROTECTION OF PRIVACY

**Mrs Lyn McLeod (Leader of the Opposition):** My first question is to the Premier. There is a growing sense of alarm across this province today as people begin to study and become aware of the implications of Bill 26, your omnibus bill. I would say to you that people are particularly concerned, and I think it's fair to say even frightened, by the extraordinary, broad, sweeping powers that the Minister of Health proposes giving himself; powers particularly related to viewing, copying, removing and disclosing personal medical files.

Premier, will you now admit that Bill 26 will indeed give the Health minister unprecedented powers to access and to disclose personal medical information, powers that no Health minister should have?

**Hon Michael D. Harris (Premier):** Unfortunately, the Minister of Health is not with us today; he could probably give you more precise information than can I on the details of the bill itself.

I can tell you, it is not the intention of the bill to violate any privacy agreements or conventions that should be there. I know the minister does have a ruling from the Ministry of the Attorney General that says the bill does not. On the other hand, I believe the Information and Privacy Commissioner had raised some concerns, and the minister had agreed to consult with him and officials to make sure that privacy, utmost in all of our minds, of medical records was not in jeopardy.

So I would assure the member and all Ontarians, and I understand the concern as the issue is raised, that if there is something in the bill that might, because of drafting or inadvertently, allow for records to be made public that ought not to be, particularly individual records, then it is the intention of the minister and of the government to amend that.

**Mrs McLeod:** Premier, this was not just another drafting error that could somehow be missed. This is legislation that you have presented, that your government was determined to ram through to make law by Christmastime, legislation that gives your Minister of Health,

among others, absolutely unprecedented, sweeping powers that are dangerous.

Premier, although the Minister of Health is not here to speak to this today, you surely are ultimately responsible for this legislation and indeed for the conduct of your Minister of Health. Premier, you are surely aware that we raised this issue with the Minister of Health very directly on two occasions last week in the Legislature. The Minister of Health's response was to accuse us of scaremongering. In fact, at one point he said we had pestered the privacy commissioner for his opinion, since the Minister of Health had failed to ask the privacy commissioner for his opinion, even though he said the Freedom of Information and Protection of Privacy Act would be the only protection that citizens of this province would have once this bill became law.

Indeed, as you have suggested, the Minister of Health brought in what he called his own best legal advice to assure us, as he said, that there is nothing in any of these amendments which changes the minister's authority to access or disclose any kind of personal information, including health records. Indeed, the privacy commissioner, Premier, has some concerns. In fact, he said that schedules F, G and H of this bill—

**The Speaker (Hon Allan K. McLean):** Would you put your question.

**Mrs McLeod:** Yes, Mr Speaker—those dealing with health care, "have the potential to significantly increase the amount of personal, health-related information that will be gathered, significantly increase the number of uses that may be made of this information and raise the possibility of new and troubling disclosures of the information."

Premier, I ask you how you can condone attempting to ram through a piece of legislation that would allow the Health minister to literally invade the privacy of every individual in this province, and how you can today condone the minister's denials that no new powers are granted to him under Bill 26.

**Hon Mr Harris:** If the question is, do I condone powers which would allow any minister to release information about personal medical records, the answer is an unequivocal no, I do not.

I know the member is aware that the Independent Health Facilities Act brought in by her government and the minister at the time, the member for Oriole, contained ministry inspection powers into all kinds of information. Perhaps we should look at the wording that was used by the former government on that act.

If you have suggestions on how the ministry can make sure that it accesses the information required to be able to respond with the appropriate measures to ensure that we maintain an absolute first-class health care system accessible to all in conformity with the Canada Health Act, unlike most other provinces or the former government, we're very interested in having that information. But I can read you the list of acts—the Ambulance Act, the Charitable Institutions Act, the Healing Arts Radiation Protection Act, the Homes for the Aged and Rest Homes Act—that have those similar powers. We do want to

make sure the minister has access to the information required to make informed decisions to stop fraud, to properly administer the health care system, and if the wording doesn't cut it, in your eyes, we'll change it.

1400

**Mrs McLeod:** It really is beyond belief that this Premier could stand in this House today and propose that the opposition bring forward suggestions to change legislation that just a few days ago he was absolutely determined to make law by Christmastime. I truly can't believe the bravado of this Premier and I wonder if even today the Premier has in fact read the letter from the privacy commissioner and if he takes the privacy commissioner's concerns seriously.

Premier, in case you haven't seen it, I will tell you further that the privacy commissioner went on to say, "The types of information governed by the acts which are being amended are among the most sensitive of all personal information." He did go on again to condemn the fact that no action, according to this proposed legislation, could be taken against the Minister of Health, the general manager of OHIP, any member of their staff or indeed any other person or organization for disclosing information contained in these medical files, and this is clearly unacceptable.

Premier, I believe that the privacy commissioner has made his concerns absolutely clear. He is concerned that the powers granted to the Minister of Health under this proposed legislation would threaten the privacy of every citizen in the province. Premier, if you say you do not condone this, I ask whether you will commit today to removing those sections of Bill 26 and to ensuring that no further amendments in regard to the access to patients' medical files go forward until, as the privacy commissioner has suggested, privacy legislation that protects our citizens is put into place?

**Hon Mr Harris:** Let me respond to a number of comments that were made by the member. The first is that we didn't want hearings. In fact, as I understand it, the agreement worked out by the House leaders last week was for 300 hours of hearings. We had offered 360 hours of hearings.

*Interjections.*

**The Speaker:** Order. Order.

**Hon Mr Harris:** So under the new arrangement—

*Interjections.*

**The Speaker:** Would the members come to order, please. Premier.

**Hon Mr Harris:** Thank you very much. So under the new arrangement worked out, there will be actually fewer hours of hearings than we offered but over a longer period of time, and we clearly have indicated that perhaps this may be advantageous. Certainly we wanted to take the best advantage of it that we can.

I can tell you that the legal opinion of the lawyers of the Ministry of Health and the Attorney General is that the provisions contained in Bill 26 are nothing new. They are in fact drawn upon the powers that were bestowed upon inspectors of the ministry in the Independent Health Facilities Act brought forward by Ms Caplan in 1988

when the Liberal government was in power. They're there. They're the same lawyers, you see; the same lawyers who were there are the same lawyers giving us advice. So when they defended the powers, when you jammed that through—the powers did not in fact infringe upon privacy. They're now giving us the same advice.

However, unlike you, we're prepared to listen. Maybe we'll change all the powers. Maybe we have to look at different wording in the existing legislation. So I can assure you as well—

*Interjections.*

**The Speaker:** The member for Kenora is out of order.

**Hon Mr Harris:** —with the privacy commissioner last Thursday and staff—

*Interjections.*

**The Speaker:** Order. Order. The member for Kenora is out of order. I will not warn him again.

New question.

**Mrs McLeod:** If the Premier is prepared to listen, perhaps he will listen to the privacy commissioner since they chose not to consult him. He has offered his opinion and we would like the government to listen to him.

#### HEALTH CARE FUNDING

**Mrs Lyn McLeod (Leader of the Opposition):** Much of what the Premier has just said—and my second question to the Premier really does not merit a response because this Premier has already created such a fundamental credibility gap for his government that it is clear that this Premier cannot be taken at his word.

We learned this rather hard truth as a result of this government's broken commitment on health care, a commitment in which the Premier said repeatedly that he would not cut a penny of the health care budget. "Not one cent" was that campaign platform and then we saw it cut by \$1.5 billion.

We also heard, prior to the election campaign and during the election campaign, this Premier say over and over again, "There will be no new user fees for health care," and that was a categorical, clear, unequivocal statement. And yet we saw in the economic statement that \$225 million is to be gained in government revenue by imposing user fees for drugs on the elderly and the disabled and the poor, and in Bill 26 we see the government give itself power to move unilaterally in this area and impose those user fees.

Premier, I ask you to come clean today and acknowledge that you did indeed say one thing before election day, "No new user fees," and something quite different in the economic statement and in Bill 26. Will you just acknowledge that simple truth?

**Hon Michael D. Harris (Premier):** What I would like to acknowledge is that we inherited a \$10-billion annual deficit, \$100 billion in total debt. What I think clearly needs to be acknowledged is that doing nothing, carrying on with the status quo, is a non-starter, that we have to fundamentally find creative and imaginative ways to deliver quality services within the budgetary confines that we have in the province of Ontario, something two previous governments in fact did not do.



We committed to look at the health care system, to pursue the objectives of hospital restructuring, to find savings within the system so that we could reinvest those savings so that at the end of the day the \$17.4-billion health care budget would have been cut by not one cent. That's our commitment, and we will live up to it.

*Interjections.*

**The Speaker (Hon Allan K. McLean):** The member for Windsor-Walkerville is out of order.

**Mrs McLeod:** The Premier surely knew there was a deficit that would have to be dealt with when he made his commitment and when people took him at his word that there would be no cuts to health care and that there would be no new user fees in health care. We have heard the Premier attempt to qualify that commitment when he and his minister have said, "Well, no new user fees for services covered under the Canada Health Act, no new user fees except for those things which are not medically necessary," and we're still trying to understand how any prescription drug prescribed by a physician is not medically necessary.

There were no exceptions when the Premier made his commitment. There was no fine print. He said, "No new user fees for health care," and yet they are now bringing in new user fees for health care, putting in place user fees on people who are welfare recipients, on the disabled, on the seniors: those disabled and seniors whom he also said he was going to protect.

Premier, I ask you again, why did you say one thing in your campaign platform and then turn around and give yourself the power, with legislation drafted in secret, to do the exact opposite: to impose new user fees for health care on the poor and the disabled and the seniors of this province?

**Hon Mr Harris:** First of all, let me say, nothing was drafted in secret. These questions were first raised by the leader of the New Democratic Party. I think the first question when the House returned—and, I might add, although completely off topic, we've now sat more days in this little session than we did in the whole previous year to have public accountability—I believe that was asked by the leader of the New Democratic Party was, "Are you looking at copayments in the area of the drug plan?" and we responded, "Yes, we are."

*Interjection.*

**The Speaker:** The member for Oakwood is out of order.

**Hon Mr Harris:** We are the only province now that does not have some form of cost-sharing among some segments of the population on the drug plan. I might add that the vast majority of Ontarians now pay 100% of the cost, either through a drug plan that they have to pay for themselves or their company pays for or they pay themselves.

The vast majority of Ontarians pay all the cost of their drugs, and I'm pleased to say that by looking at restructuring the drug plan, those who can afford will pay a little bit more by way of copayment, and yet those working people—we are going to add 140,000 people

who were paying 100% of the cost of these drugs under your scheme—

*Interjection.*

**The Speaker:** The member for Windsor-Sandwich is out of order.

**Hon Mr Harris:** —assistance for the taxpayer. That seems to me to be pretty fair.

1410

**Mrs McLeod:** Premier, I just come back to your words. You said your government was going to be different. You said you would take responsibility for your commitments. In fact, you even said you would resign if you broke your promises. During the campaign you said, over and over, "There will be no new user fees for health care." No limitations, no explanations, no conditions—just, "No new user fees for health care."

Premier, I believe you have broken faith with the people of this province. You have broken faith with the most vulnerable people of this province. You are levelling new user fees in direct violation of your commitment, and you're levelling them on the backs of seniors, the disabled and the poor, for one reason only, and that is to pay for your income tax cut, for the kind of cut that is going to give \$5,000 a year to somebody earning \$150,000 a year and \$7,500 for somebody earning \$200,000 a year and \$28,000-plus for somebody making \$250,000. Will you just acknowledge that you broke your commitment on user fees to help finance a huge tax cut for the most well-to-do in this province?

**Hon Mr Harris:** Let me say a couple of things. Number one, there was a myriad of copayments that were in the system on those areas not covered by the Canada Health Act, and we want to restructure some of those copayments so 140,000 of the neediest get some help and the others who can afford to will pay a very small amount, as do all the other provinces. That clearly has been our new commitment, and that's been our commitment that we've talked about. To suggest otherwise is simply not true.

**Mr Gerry Phillips (Scarborough-Agincourt):** What?

**Hon Mr Harris:** Simply not true. When I look at the Liberal Party talking about broken promises that far exceeded any of the commitments that they may have kept—talk about a party that says one thing and does another, even in this last election campaign. Their record in government was abysmal, the most broken promises, a record that was tried to be matched by the New Democrats; I don't think it was.

Then you look at their commitments in the last campaign versus what they're saying now in the House: "Don't cut here, not there. Don't do this, don't do that." I'm telling you that it strains believability and credibility among all Ontarians and members of this side of the House, as we try to cope with the mess that you left with us, when you start talking and you wave the "Not One Cent" posters that are there. We freely say, that was our commitment and that's where we will be.

USER FEES

**Mr Bob Rae (York South):** Is it the Premier's view that a copayment is in fact a user fee?

**Hon Michael D. Harris (Premier):** It could be in some circumstances, and clearly I think the public needs to get an understanding. Was it a copayment or a user fee when you forced 70% or 80% of Ontarians to pay 100% of the costs of their drugs? People have been trying to get a definition of this. As long as you're prepared, with me, to talk apples to apples, I'm prepared to talk apples to apples to you.

We are reducing a lot of the copayments that you had. We're trying to get away from this 100% delisting; that's what you called it. You didn't call it a user fee; you said it was 100% delisting. So there are delistings; there are 100% payments; there are copayments; there are words like "user fees" bandied about. What we clearly have tried to do is make sure the public understands the terminology.

We will not violate the Canada Health Act. We will uphold the Canada Health Act, which sets standards for all Canadians. We're very proud we are the only government, I believe, now not violating the Canada Health Act or under investigation by the federal minister for doing the same, and we had to make a couple of changes to correct that from what we inherited from you.

**Mr Rae:** I'm not sure I heard an answer to my question, but on November 30, 1993, the member for Nipissing said: "I've been calling for a full and an open discussion on the issue of user fees. Let's be fair. A copayment is a user fee. Rationing leads to user fees. Parental contribution is a user fee."

I wonder if you can tell us: Turning to the legislation, we find that under the Health Care Accessibility Act, the minister has extended to hospitals the ability to charge fees for services to insured persons. On page 113 of the bill it says, "A hospital shall not accept payment for rendering an insured service to an insured person unless permitted to do so by the regulations."

Then on the next page it says, "The Lieutenant Governor in Council may make regulations,

"(a) prescribing insured services for which hospitals may charge insured persons."

As far as I'm aware, this is the first time the government has given itself the regulatory power to change services in hospitals and to permit hospitals to charge for services for which they have not previously been allowed to charge.

I want to ask the Premier: Is he aware of these changes, and does he not see them as a way in which hospitals will be permitted to charge all kinds of new user fees to patients who are in the hospital for which they were not previously charged?

**Hon Mr Harris:** It's a good point that you raise. It gets into definitions, I suppose, of what's there. Private rooms right now have significant copayments; semi-private rooms have copayments; parking you might call a copayment or a user fee, call it what you will.

**Mr James J. Bradley (St Catharines):** Parking?

**Hon Mr Harris:** Well, I don't know. In some cases we know that for food for long-term-care patients who are in hospitals, there is a copayment for that portion of it. But I can assure you of this: There will be no copay-

ments, or user fees, call them what you will—we tend to call user fees something that contravenes the Canada Health Act.

**Mr David S. Cooke (Windsor-Riverside):** Who knows what your definition will be next week?

**Hon Mr Harris:** Well, so that everybody can clarify, instead of your four or five words—you see, you have one word in government and another word in opposition—there will be no user fees. There will be no copayments either, because that becomes a user fee if it contravenes the Canada Health Act.

We are going to provide all medically necessary services equally to all, regardless of where they come from or any other plan they have. That's our commitment, that's what we must do, and that's what we intend to do.

**Mr Rae:** I don't think people have any particular belief in the new commitments that are being made, because the old commitments were very clear—no new user fees—when we're now being told that, yes, there will be new user fees, only they won't be called user fees, they'll be called—now we're told that parking is a form of copayment. Parking is parking. It's got nothing to do with anything else.

I want to ask the Premier this question: Do you not see a difference between the charges that will be paid for parking and the charges that will now be demanded from sick people for medically necessary medication? Do you not see a difference between those two things?

**Hon Mr Harris:** I do see a difference. That's why we're providing for 140,000 more working people in Ontario access to some form of copayment for their drugs. It's why we supported the Trillium drug plan you brought in, why we are improving the drug plan, trying to include in our resources more of those who have difficulty paying.

This is the way I think seems to make sense to us under something that is not covered under the Canada Health Act, but clearly we want to ensure that medically necessary drugs are accessible to all Ontarians. That's why we want to target our resources, the way other provinces have, at those who need the most help, and that indeed is what we're doing.

**The Speaker (Hon Allan K. McLean):** New question.

**Mr Rae:** I think most people would say that a government that can charge a disabled person for their medically necessary medication is a government that's perfectly capable of turning around in a short while and charging them for services which are now deemed to be medically necessary in hospitals or for doctors. That's exactly what we can expect.

1420

#### RESTRICTIONS ON NEW DOCTORS

**Mr Bob Rae (York South):** I'd now like to ask the Premier some questions on the subject of the conscription of doctors. Our government commissioned a study by Mr Graham Scott, who is a former Deputy Minister of Health, former executive assistant to Robert Stanfield, the former leader of the Progressive Conservative Party in Canada, and Mr Scott produced a report which was the



basis for some of the announcements made by the Minister of Health recently.

Mr Scott was asked to look at the entire question of the problem which has been difficult for all governments for many, many years, and that is, how do we ensure the delivery of health care across the province and how do we ensure that in smaller communities in the north and in the south the people have access to qualified physicians?

The Premier's government is the first government in the history of the province which intends to create a new class of physicians called "eligible physicians." Those are the doctors who are going to be allowed to practise and who will get an OHIP number. There will be other doctors who are perfectly well-qualified, who are perfectly well-trained, who have all the capabilities of medical practitioners, but they will not be eligible to receive an OHIP number unless the Minister of Health decides that that's what he wants to do.

Can the Premier tell me where in any report, either in the Scott report or in any one of the mediation reports that have been done over the years, can he show me one single, neutral, third-party report or can he show me anywhere in the Common Sense Revolution or in any document associated with the Conservative Party where he has decided to conscript doctors, to restrict access to practice and to tell the graduates who are now coming out of our medical schools that they're out of luck when it comes to practising medicine in the province? Where have you ever said this before?

**Hon Michael D. Harris (Premier):** The leader of the NDP correctly points out something that Progressive Conservative governments, Liberal governments, NDP governments have not been able to deliver on in the past, and that is, a better distribution of doctors and medical services across the province, particularly in some of the small towns and in northern Ontario. Everything that we've tried so far has not worked very well.

In British Columbia an NDP Premier came in with a program to only give billing numbers to those doctors where they needed doctors as opposed to the other. I'm assuming from the question that this NDP leader disagrees with that NDP leader. But that was one proposal that was brought forward to try and accommodate that, and the minister, I know, said, "Hey, we should look at that and see how that's working in British Columbia and see whether this will help break the logjam."

I'm quite pleased to report, and the minister when he comes back can give you more details, that my understanding is that the OMA, which has not been able to deliver these services, not been able to fulfil their obligation under the memorandum of understanding, signed by the NDP, to have doctors in underserviced areas, is quite confident that they will be able to and will be able to work with the minister now as we begin to implement some of the Scott report—and we put more dollars into the system, I might add, as well—quite confident that they can deliver.

That of course is the way in which we want to do it, in an area of mutual understanding and cooperation with the union representing the doctors and the government. Both, through the memorandum of understanding that

your party signed, have an obligation to provide health care services all across this province, not just in the big centres.

**Mr Rae:** Is the Premier (a) aware of the fact that his legislation gets rid of the memorandum of understanding, and (b) is he alleging today that the Ontario Medical Association supports those sections of Bill 26 which conscript doctors? Is that his allegation today?

**Hon Mr Harris:** No.

**Mr Rae:** That's what you just said; at least that's what you clearly implied with your answer. There's no other implication. You're turning your answers into a joke. You clearly don't understand the legislation or its impact. You don't have any understanding of what's here.

The Professional Association of Interns and Residents of Ontario, which represents 2,400 interns and residents in the province, has stated that it believes this legislation to be unlawful. In fact, the previous time it was tried in British Columbia, by another government, not an NDP government, it was found to be unlawful by the British Columbia Court of Appeal. They find that it's coercive; they find that it's intrusive to a degree which no other government has ever tried in the province before.

I want to ask the Premier this question: Why would you be bringing forward such a coercive, such a centralized and such an authoritarian solution to a problem that is admittedly difficult, when it's very clear that the solutions that have been proposed by Mr Scott do not in any way condone the kinds of steps and the sort of direction you have taken?

Why would you have gone so far off the deep end, in changing the way in which medicine is practised in the province, in changing the rights of young graduates who are coming out of university, in changing the rights of specialists? Why would you have decided to take on such an authoritarian solution to a problem which demands greater sensitivity and more willingness to compromise than you've so far demonstrated?

**Hon Mr Harris:** That's not our intention at all and the minister has made that very clear. The tools that we inherited were—even though we have a significant surplus of doctors in Ontario, the only mechanism without the cooperation of the OMA to make sure that northern Ontario communities and rural communities had doctors was to give even more numbers to new immigrant doctors or to doctors who didn't come through our health care system. All this did in the long run was to contribute to the oversupply. That's something the former government did, I think we did 15 years ago, the Liberal government did, you did and we've now moved in that direction as well.

However, I'm really pleased to report, one more time, that the Professional Association of Interns and Residents of Ontario said on December 1, "We're planning to take the minister at his word; he'll give recruitment and retention measures a real chance to work without imposing billing number restrictions," and further to that, the OMA now tells us and tells the minister they're quite confident that they're going to be able to work out an agreement.

You see, once you become a union and have compulsory checkoff, as you gave the OMA, and they will speak for all the doctors, they also have an obligation to provide services all across the province. That was not happening; it is now beginning to happen today.

#### USER FEES

**Mr Gilles E. Morin (Carleton East):** My question is for the Premier. In speeches and party literature, the Premier has repeatedly stated that health care expenditures would not be cut. This is a fact. The Premier may choose to reinterpret his own words, but when his own documents read, "There will be no cuts to health care funding by a Harris government," you assume that is what they mean.

The Premier and his cohorts have since proceeded, by way of Bill 26, to impose fees, or copayments, as they call them, upon the people who can least afford them. This is the same Premier who said: "User fees tend to discourage low-income people from obtaining the medical treatment they need. That makes them unfair."

Can the Premier explain, not just to me but to the many seniors and low-income persons concerned, where the fairness is in imposing, in his own words, unfair user fees upon those who can least afford them?

**Hon Michael D. Harris (Premier):** Yes, I'm happy to continue to explain to you and to respond by telling you that the letters coming into my office from seniors are overwhelmingly in support, saying, "Look, we understand the serious mismanagement of the last 10 years; we understand the seriousness of the deficit and debt problem; we understand that one of the prices we pay"—

#### Interjection.

**The Speaker (Hon Allan K. McLean):** The member for Hamilton East is out of order.

**Hon Mr Harris:** —"is for something nobody else in Canada had, that no other government provided, Liberal, NDP or Conservative." One of the consequences of that was this \$10-billion deficit or, as you've already heard, \$1 million an hour more going out in expenditures than are coming in. They've said to us, "Two bucks is cheap to fix the problem and make sure our children and our grandchildren have an opportunity, like we had, to live and grow and work in this great province of Ontario."

1430

**Mr Morin:** This is Orwellian language, any way the Premier puts it. The fact is that he is penalizing elderly and low-income Ontarians for being sick. He broke his promise about not cutting funding for health care, and now he reaches for savings into the meagre incomes of our most vulnerable citizens. Up to 1.3 million seniors will be affected by the new dispensing fees to be charged to them under Bill 26. This is a user fee, by any other name.

You said it yourself: "User fees are unfair." How is Ontario a fairer society today? How is it fair to target elderly and low-income Ontarians?

**Hon Mr Harris:** The member will know that the vast majority of Ontarians pay 100% of their own drugs—the vast majority pays 100%. Those, however, who are on welfare, or senior citizens, will pay an absolute minimal

fraction of that, less than in most other provinces, although you might be able to find an individual case somewhere that's there.

Quite frankly, I have to tell you that with the overall mismanagement of the system, the Health ministry, the Education ministry, throwing the money around that you didn't have—that your government didn't have, the New Democratic Party didn't have—we've had to make some very, very difficult decisions.

If your question is, "Are you now telling us, Premier, that there's no free ride, free everything for everybody in Ontario?" that's right, there is not. That's a change, and that's what we were elected to change.

**The Speaker:** New question.

**Mr Bob Rae (York South):** In response to the Premier's announcements and Bill 26, a number of local municipalities would appear to be planning to make some rather major moves in the field of user fees and other fee hikes. When the Premier hears, for example, that North York is going to charge up to \$7 for an annual membership in the public library system, I wonder what his response is to something like that.

**Hon Mr Harris:** Those are decisions for local municipalities to work out. Let me tell you of an experience that really surprised me. My family is now going to school here in the Toronto area for the first time, and I was absolutely astounded. We had to pay user fees or copayments for our kids to go public skating or to do things in North Bay, and now we find that in Toronto it's all free. We're actually astounded at the number of things, privileges which we're quite happy to pay a modest amount for.

What I would hope is that if municipalities are looking at user fees or copayments in some areas, (a) that it would not be for necessary services, (b) that they think about it very carefully, and (c) that if they're planning to charge a buck or five bucks for library privileges, they make sure that those who may have any difficulty at all affording it get it for free.

**Mr Rae:** One of the issues around public libraries which the Premier perhaps wasn't aware of is that the Public Libraries Act now in fact requires that libraries not charge for particular services, including loaning books. Is it the intention of the government to enforce the Public Libraries Act and reduce transfers to those library systems in the province which break the Public Libraries Act and start charging people for the use of a public library?

**Hon Mr Harris:** I've not heard of any municipality that's planning to do that. Perhaps some are planning to charge for a card. Some now do charge for a card, which is legal under your legislation that we have inherited. That's different, though.

Some charge now for videos that go out; some do not; they compete with free videos with all the private sector businesses that charge a buck or two or three to rent a video. My understanding is that some municipalities are looking at: "Should our libraries be competing with the private sector giving free videos? Is that what we were set up to do? Is that what the Public Libraries Act empowered us to do?"



Clearly, it is our intention to work with our partners, who I think will be far more responsible than you suggest, to make sure that the citizens of Ontario can afford unexcelled, unparalleled services with virtually any other jurisdiction in the world. We believe we have the resources to do that and we're confident that will happen.

#### RED HILL CREEK EXPRESSWAY

**Mrs Lillian Ross (Hamilton West):** My question today is for the Minister of Transportation. During the last provincial election, our government reaffirmed its commitment to the completion of the Red Hill Creek Expressway. I would like to ask the minister today if you could reaffirm to this Legislature and to the residents back home what your commitment is to the Red Hill Creek Expressway?

**Hon Al Palladini (Minister of Transportation):** I want to thank the honourable member for the question and certainly make clear once and for all that this government understands the importance of the expressway to the region of Hamilton-Wentworth, and a Mike Harris government is keeping its promise once again.

Over the next five years, we will be providing \$100 million towards the cost of the completion of the expressway. This will allow the expressway to be finished by the year 2000. The \$100 million is a firm commitment even if the region is able to find savings in areas, and we believe the region will be able to find savings.

**Mrs Ross:** I'm pleased, as I'm sure most of the people back home are, that the government has recognized the importance of this expressway.

The minister would be aware of the fact that in July, 50% of the funding was deferred, an amount of \$6.75 million. Can the minister please tell us whether that amount is included in the funding arrangement for this year?

**Hon Mr Palladini:** This is another Harris promise kept. I am pleased to inform the honourable member that, as promised back in July, the \$6.75 million deferred will be restored next year, and that is in addition to the \$20-million commitment we have in 1996. The region next year will receive \$26.75 million towards the construction of the expressway.

#### VISITORS

**The Speaker (Hon Allan K. McLean):** If I could just take a minute, we have some guests in the Speaker's gallery who have to leave very shortly, and I would like to introduce them. They are members of the coaching staff of the Colorado Avalanche: Marc Crawford and Jacques Martin. Welcome.

1440

#### HIGHWAY TOLLS

**Mr Mike Colle (Oakwood):** I have a question for the Minister of Transportation. Last week, I asked the minister whether he was aware of the fact that under the Bill 26 amendments to the Capital Investment Plan Act, the Ontario Transportation Capital Corp has the power to register a lien on private property, including people's homes, for unpaid toll fines. The minister's response, to quote from Hansard on December 5, was, "As far as liens are concerned, we're talking about vehicles here, so we're

not talking about liening someone's house because they haven't paid their toll."

I wish to draw the minister's attention to the omnibus Bill 26 subsection 43.1(1), where it says, "Any toll, fee or interest owed under this part by any person is, upon registration by the corporation in the proper land registry office of a notice claiming a lien and charge conferred by this section...."

My question to the minister is, did you not read the act, or did you announce an amendment to the act and you're not going to have liens on people's homes when they don't pay their tolls?

**Hon Al Palladini (Minister of Transportation):** The honourable member is fearmongering. I would like to say this: Houses don't drive on highways, cars do. We will register a lien on a vehicle if—number one, it has to be a substantial lien. But to put fear in the people of Ontario that we are going to be liening someone's house because there's a \$100 toll or a \$1,000 toll, the honourable member doesn't have a clue.

**Mr Colle:** I'm not sure what the minister is talking about, about houses driving on highways, but my question is very simple. Who is telling the truth: Is it the minister or is it the act? Is the minister saying that the act is wrong when it says it's going to charge liens on people's property? Why would you be going to the land registry office for a lien on a car? Isn't it enough to put a lien on a \$10,000 or \$20,000 or \$30,000 car? Why do you have to go that far, to put a lien on people's homes if they don't pay their tolls?

**Hon Mr Palladini:** No one is saying we're going to go that far. We're going to make the attempt to collect the outstanding tolls. A lien on a vehicle is a standard, customary business procedure. This government is going to operate in a business-efficient way. We will do whatever we have to do so all Ontarians are going to get that benefit.

The member is referring to Bill 26. That is a general bill. I want to talk just about tolls. I want to talk about what we are going to do if people don't pay their tolls. We will lien a vehicle in order for us to collect that money that's owed.

**The Speaker (Hon Allan K. McLean):** New question. The leader of the third party.

**Mr Colle:** What's he saying? Is there a lien or not?

**The Speaker:** The member for Oakwood is out of order.

#### RESTRICTIONS ON NEW DOCTORS

**Mr Bob Rae (York South):** I don't know whether the Premier is really familiar with the legislation or the comments people have made, but just to create a sense of balance in terms of the record today, the president of the Ontario Medical Association described Bill 26 as extreme, unprecedented and harmful to patient care. I want to put that on the record.

**Mr James J. Bradley (St Catharines):** Who said that?

**Mr Rae:** The president of the Ontario Medical Association.

The head of the Professional Association of Interns and Residents of Ontario, the executive, came to see me. They describe the bill as unlawful; they describe it as arbitrary and authoritarian; and they describe it as having implications for the practice of medicine which are disastrous. The only jurisdiction which will benefit from it, in their words, is the United States.

The powers being given to the Minister of Health and to the ministry to tell doctors where and when they will practise are more authoritarian and more centralized than any powers which have been given to the Ministry of Health bureaucracy since the beginning of medical care; in fact, in the entire history of the province we've never given this kind of power to the bureaucracy.

I want to ask the Premier, why are you taking such an authoritarian approach when there's absolutely no neutral third party that has ever argued in favour of taking this kind of approach to how people will be allowed to practise medicine in the history of the province? It's never been tried before, never been done before. Why would you take such a totalitarian approach?

**Hon Michael D. Harris (Premier):** I might add that the Ontario Medical Association said very similar things, in similar language, about your government at negotiation time, as it did about the Liberal government when it was dealing with the Independent Health Facilities Act.

**Mr Rae:** We're not talking about negotiations.

**Hon Mr Harris:** Well, they have. We have the rhetoric. It seems to be a part of negotiations, and we understand that.

We, on the other hand, think it makes far more sense to sit down, work cooperatively, work productively. We say this to all unions—we say this to the Canadian Auto Workers, we say this to OPSEU, we say this to CUPE—that we're prepared to sit down and work in a logical way to uphold the mandate we've all been given.

I indicated earlier in response to the member that the former Progressive Conservative government—it's going back quite a long time, so long ago that it's hard for me to remember those good old days—the former Liberal government and the former NDP government all tried to address this issue of physician and doctor dispersement, if you like, or distribution across the province of Ontario. The more you wrestled with it for five years and the more the Liberals wrestled with it for five years, the worse the situation became.

I have to tell you that we need to look at new and different and creative ways to break this impasse and make sure we have doctors where they are needed across the province, in the specialties that are required, so that we don't end up with this still overall surplus in some parts of the province and a shortage in others.

If you have suggestions—you may have, after you've failed for five years, on what didn't work—we'd be glad to hear those as to how we can make sure this happens.

**Mr Rae:** My comment to the Premier in terms of a second question would be this: You're not talking about negotiations here; there's nothing in this bill about negotiations. This is not an act which sets out negotiations. You keep talking about how you're prepared to sit

down with the OMA. To what? To negotiate the act, to renegotiate the act, between now and January 29?

Is the Premier now saying that he's prepared to withdraw the draconian and authoritarian sections in the act and prepared to sit down with the Professional Association of Interns and Residents of Ontario and sit down with the Ontario Medical Association and negotiate a new arrangement?

Or is he saying that the act stands as it is and that he's happy with the fact that the Minister of Health and the person in charge of OHIP now has unilateral authority to tell a doctor where she will practise, how she will practise, on what terms she will practise, in which part of the province she will practise, how long she will practise, and if she's not prepared to practise there, then she isn't going to be allowed to practise in the province of Ontario? That's what your legislation says; that's what it means. Are you prepared to withdraw that legislation now? Yes or no?

**Hon Mr Harris:** We are prepared to meet with the OMA, and the Minister of Health has been doing it. We're prepared to meet with those still in medical school and the association of interns and residents, and the Minister of Health is doing this. We would like to make sure we can work this out in full cooperation with those providing the services. But let me tell you something. At the end of the day, we're going to make sure that northern Ontario municipalities, that isolated municipalities, that rural municipalities get the health care you didn't give them.

1450

#### COMPRESSIONS BUDGÉTAIRES

**M. John R. Baird (Nepean) :** Ma question s'adresse au ministre de l'Agriculture, de l'Alimentation et des Affaires rurales ; ministre délégué aux Affaires francophones.

Suite au discours budgétaire du ministre des Finances de l'avant-dernière semaine, le ministre a annoncé qu'il devrait amalgamer ou centraliser des bureaux d'agriculture dans l'Est ontarien. Est-ce que le ministre pourrait bien m'expliquer la raison pour laquelle une telle décision a été prise ?

**L'hon Noble Villeneuve (ministre de l'Agriculture, de l'Alimentation et des Affaires rurales ; ministre délégué aux Affaires francophones) :** Je veux remercier mon collègue le député de Nepean pour la question. Avec une dette qui s'accroît à au-delà de un million de dollars à toutes les heures, à tous les jours, nous avons un problème économique majeur ici en Ontario et nous devons le corriger.

D'après nos rencontres de table ronde et notre sondage annuel auprès de nos cultivateurs, ils nous ont dit qu'ils sont prêts à utiliser le téléphone, le télécopieur pour faire affaire avec leur bureau d'agriculture. Alors, avec ces outils qu'ils ont, ils vont pouvoir faire affaire avec n'importe quel bureau agricole, que ce soit le Collège d'Alfred, le Collège de Kemptonville, ou n'importe quel bureau. C'est ce que les cultivateurs nous ont dit et c'est essentiel, qu'il faut dépenser sagement.



**M. Baird :** Considérant que trois des bureaux qui seront centralisés se retrouvent dans l'Est ontarien, les francophones de ce coin sont inquiets qu'ils perdront l'accès aux services dans leur langue maternelle. Est-ce que le ministre peut me rassurer que les services en français seront toujours disponibles pour ces gens ?

**L'hon M. Villeneuve :** Les services en français seront toujours bel et bien disponibles, que ce soit au bureau d'agriculture d'Avonmore, que ce soit au Collège d'Alfred, avec l'amalgamation des comtés de Prescott et Russell, que ce soit partout où les services sont disponibles en français ou en anglais ; les services vont être disponibles à nos cultivateurs comme il l'ont toujours été.

#### USER FEES

**Mr John Gerretsen (Kingston and The Islands):** My question is to the Minister of Municipal Affairs and Housing. Mr Minister, Bill 26, in the sections dealing with the changes to the Municipal Act, states that a municipality and a local board may pass bylaws imposing fees or charges on any class of persons, and it also goes on to say that the fees and charges are in the nature of a direct tax for the purpose of raising revenue.

My question to you is something that was raised in the media over the weekend by a number of different people: Are you going to allow head taxes to be introduced by municipalities? Yes or no?

**Hon Al Leach (Minister of Municipal Affairs and Housing):** As you know, we have been working very closely with the municipalities. The municipalities have asked for autonomy to do certain things. As a matter of fact, AMO says, "AMO successfully lobbied the Minister of Finance and the Minister of Municipal Affairs for broader authority to impose user fees on a range of services."

The municipalities want to work with us and be part of the solution, not part of the problem as in the past. What user fees or what licensing fees are brought in by the municipality will be the responsibility of the municipality.

**Mr Gerretsen:** Let me just see if I got it exactly correct. Are you saying that they can impose head taxes? Yes or no? That's the question.

**Hon Mr Leach:** Theoretically the municipality could do that, but theoretically I could get an intelligent question and I haven't got that either.

**Mr Bob Rae (York South):** Let me try again. We're now told that the Premier is in favour of libraries charging for services for which they've never charged before, and now I understand the Minister of Municipal Affairs is telling us that as far as he is concerned, municipalities will be allowed to charge a head tax.

Can the minister confirm once again clearly for the House today: Is it, in his view, permissible for a municipality to charge a general fee on every single citizen in that municipality simply because he or she is living in that municipality? Is that now permitted?

**Hon Mr Leach:** As I said, we're giving municipalities the autonomy to take action as they see fit. They've been hobbled for years by draconian legislation. They want to help us get rid of the problem that we've inherited and we're going to let them do that. What issues they choose to have licensing fees for is up to them.

**The Speaker (Hon Allan K. McLean):** The time for oral question period has expired. Routine motions?

**Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader):** Mr Speaker, during motions, I believe that there is some agreement among the three parties to split the time evenly during this afternoon's debate.

**The Speaker:** Agreed? Agreed.

#### PETITIONS

##### HIGHWAY SAFETY

**Mr Frank Mclash (Kenora):** My petition is to the Legislative Assembly of Ontario and reads:

"Whereas the Minister of Transportation is intent on reducing northern winter road maintenance services; and

"Whereas such downgrading places the lives of northern residents at undue and unnecessary risk;

"We, the undersigned, petition the Legislative Assembly of Ontario to disallow these reductions in service and to guarantee that winter roads across the northern regions of the province receive the necessary maintenance to ensure the safe passage of drivers."

That comes from a great number of communities in my riding as well as some from Manitoba and across the province.

##### PORNOGRAPHY

**Mr Bob Wood (London South):** I'd like to present the following petition to the assembly:

"To the Legislative Assembly of Ontario:

"Whereas we, the Catholic Women's League of St John the Divine, London, Ontario, as an association agree the protection of our children against pornography is paramount;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We petition the Legislative Assembly to enact legislation against child pornography. Bill C-128 does not go far enough."

##### HOSPITAL RESTRUCTURING

**Mr Monte Kwinter (Wilson Heights):** I have a petition to the Legislative Assembly of Ontario.

"Whereas the final report of the Metropolitan Toronto District Health Council hospital restructuring committee has recommended that North York Branson Hospital merge with York-Finch hospital;

"Whereas this recommendation will remove emergency and inpatient services currently provided by North York Branson Hospital, which will seriously jeopardize medical care and the quality of health for the growing population which the hospital serves, many being elderly people who in numerous cases require treatment for life-threatening medical conditions;

"We petition the Legislative Assembly of Ontario to reject the recommendation contained within the final report of the Metropolitan Toronto District Health Council hospital restructuring committee as it pertains to North York Branson Hospital, so that it retains, at minimum, emergency and inpatient services."

I have affixed my signature.

## COMMON SENSE REVOLUTION

**Ms Shelley Martel (Sudbury East):** I have a petition to the Legislative Assembly which reads as follows:

"Whereas Mike Harris said on May 30, 1995, 'If I don't live up to anything that I have promised to do and committed to do, I will resign'; and

"Whereas Mike Harris promised on May 3, 1995, 'No cuts to health care spending,' but in his November 29 economic statement we see \$1.3 billion or 18% in cuts to hospital spending over the next three years and a further \$225 million in cuts from the health care budget; and

"Whereas Mike Harris has clearly broken his promise to defend health care cuts in funding; and

"Whereas Mike Harris promised in the Common Sense Revolution that, 'This plan will create more than 725,000 new jobs,' but in his November 29 economic statement we see a prediction of only 253,000 jobs created over the next three years and an unemployment rate of 8.6% in two years, which is the same as it is today; and

"Whereas Mike Harris has clearly broken his promise to create significant jobs in this province; and

"Whereas Mike Harris promised in the Common Sense Revolution that, 'Aid for seniors and the disabled will not be cut,' but in his November 29 economic statement Mike Harris is cutting the Ontario drug benefit plan and making seniors and the vulnerable pay for their drugs; and

"Whereas Mike Harris has clearly broken his promise to seniors and the disabled;

"We, the undersigned, demand that Mike Harris keep his word and resign immediately."

That is signed by eight people who live in the riding of Sudbury East. I have signed it and I agree with the petitioners entirely.

## TAX EXEMPTION

**Mr Toby Barrett (Norfolk):** I have a petition from the congregation of St Andrew's, Hagersville, and Knox, Port Dover, Presbyterian churches re recommendation 104 as proposed by the Fair Tax Commission of the government.

"We, the members of the aforementioned congregations, do hereby petition you, our Premier and representatives, to not proceed on this recommendation of the Fair Tax Commission relative to legislating its proposal that, 'The local property tax exemptions for churches, cemeteries and religious and educational seminaries should be eliminated.'

"We would remind you that such action will undermine the stewardship of our members concerning their present support of the provincial, national and international welfare and humanitarian needs of people, because it will financially strap them in their ability to continue to give support to these needs.

"Furthermore, such action will put the onus and the accountability for such undermining of our welfare and humanitarian support squarely on the shoulders of the present government, placing a greater burden upon its finances relative to the need to cover those areas of support the religious organizations would be forced to cut back on.

"We are of a unanimous mind that the proposed recommendation of the Fair Tax Commission and any legislation to its effect is self-defeating, as far as the welfare and care of people is concerned in our province, nation and world, and we again respectfully ask you not to proceed on them."

I affix my name to this petition.

## HIGHWAY SAFETY

**Mr David Ramsay (Timiskaming):** "To the Legislative Assembly of Ontario:

"Whereas the Ministry of Transportation is intent on reducing northern winter road maintenance services; and

"Whereas such downgrading places the lives of northern residents at undue and unnecessary risk,

"We, the undersigned, petition the Legislative Assembly of Ontario to disallow these reductions in service and to guarantee the winter roads across the northern regions of the province receive the necessary maintenance to ensure safe passage of drivers."

I will affix my signature.

1500

## MINISTER'S COMMENTS

**Mr Tony Silipo (Dovercourt):** I have a petition to the Legislative Assembly of Ontario.

"Whereas six women present at a meeting held by the minister responsible for women's issues, Dianne Cunningham, at her constituency office on October 25, 1995, agreed that they heard the minister state, 'Within the context of this government, you need to understand that groups or agencies that are seen not to be working with this government, providing an oppositional voice...will be audited and their funding eliminated'; and

"Whereas the minister responsible for women's issues denies having made this statement;

"We, the undersigned, request that the government establish a legislative committee to determine whether the minister responsible for women's issues abused her authority as a minister of the crown by making threatening and intimidating remarks at the meeting described above."

It's signed by about 40 people across the province and I've affixed my signature to it as well.

## CHILD CARE

**Mr Tony Ruprecht (Parkdale):** "Whereas the Ontario government has decided to replace our current child care system with one that lacks compassion and common sense and is fraught with many dangerous consequences; and

"Whereas the concept of affordable, accessible and quality child care is a basic, important and fundamental right for many members of our community who are either unemployed and enrolled in a training program or are working single parents or where both parents are working; and

"Whereas if our present provincial government is sincere in getting people back to work, they should recognize the value of the child care component of the Jobs Ontario program and acknowledge the validity of the wage subsidy to the child care workers;



"We, therefore, the undersigned residents, business owners and child care providers for Parkdale and High Park, urge the Progressive Conservative government of Ontario to immediately suspend their plans to implement cuts to our present child care programs across the province and restore funding to the present levels."

I've attached my signature.

#### COMMUNITY-BASED JUSTICE OPTIONS

**Mr Richard Patten (Ottawa Centre):** "Whereas community-based justice programs, such as diversion, alternative measures, community service orders, bail supervision etc, have proven valuable; the screening and supervision of accused and offenders within well-defined programs contribute to public safety; for over 20 years community-based options have made a positive contribution to the welfare of communities in Ontario;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We believe that these programs must not be viewed as dispensable. As with many recent cuts, short-term fiscal expediency holds no long-term value. Credible links with the community and quality programs for the citizens of Ontario must be maintained."

I affix my signature to this petition as well.

#### EDUCATION FINANCING

**Mr Pat Hoy (Essex-Kent):** "To the Legislature of Ontario:

"Whereas all students in Ontario deserve equal educational opportunities; and

"Whereas we understand the importance of controlling costs; and

"Whereas reductions to core grants severely impact assessment-poor boards;

"Therefore, be it resolved that we, the undersigned, petition the Legislature to effect reasonable reductions in the education system and to ensure that the reductions are shared in a fair and equitable manner."

#### CHILD CARE

**Mr Tony Silipo (Dovercourt):** I have a petition signed by many people, I think it's about 100 signatures, from the Vaughan Nursery School on St Clair Avenue West. It's to the Legislative Assembly of Ontario.

"We do solemnly petition the government of Ontario to recognize and affirm:

"(1) The economic and social value to Ontario of the highest possible standards of child care;

"(2) That Ontario is no longer the Ontario of the 1920s, '30s, '40s, '50s, '60s, '70s or '80s, and that the necessity and/or desire for parents to work outside of the house has fundamentally changed child-raising practices in Ontario;

"(3) That the public good is created by providing all Ontario's children, regardless of the income, social class, ethnic or racial background of their parents, with access to the same standards of child care;

"(4) That Ontario needs to act to protect the asset represented by the skills and capabilities of trained and qualified child care staff in providing positive, nurturing

experiences for children outside of the home and family setting;

"(5) That the volunteer contributions made by parents to the success of licensed child care in non-profit cooperative centres be recognized and encouraged in any proposed changes to the child care system;

"(6) The necessity, on behalf of Ontario children, and regardless of provincial deficits, tax cut promises or other business challenges, to allocate sufficient public funds in order that access be available for all to licensed, high-quality child care services where required; and

"(7) That community by community, region by region, public consultations and discussions precede any changes that affect Ontario's existing child care system."

I'm happy to support this petition. I'm affixing my signature to it as well.

**Mr James J. Bradley (St Catharines):** This petition is from a number of people who reside in the Niagara Peninsula.

"The governments at provincial and regional levels are threatening cuts to child care programs. We see child care as an essential service to the community. A reduction in subsidized child care programs would result in unaffordable and unavailable child care, causing higher levels of unemployment and welfare dependency."

I submit this petition for consideration of the House.

#### MINISTER'S COMMENTS

**Mr Rosario Marchese (Fort York):** "Whereas six women present at a meeting held by the minister responsible for women's issues, Dianne Cunningham, at her constituency office on October 25, 1995, agree that they heard the minister state, 'Within the context of this government, you need to understand that groups or agencies that are seen not to be working with this government, providing an oppositional voice...will be audited and their funding eliminated'; and

"Whereas the minister responsible for women's issues denies having made this statement;

"Therefore, we, the undersigned, request that the government establish a legislative committee to determine whether the minister responsible for women's issues abused her authority as a minister of the crown by making threatening and intimidating remarks at the meeting described above."

I affix my signature to this petition.

#### HEALTH CARE FUNDING

**Mr Dominic Agostino (Hamilton East):** "Whereas Mike Harris promised on May 3, 1995, not to cut one cent from health care spending; and

"Whereas that promise was broken when the Conservatives cut more than \$1.3 billion from Ontario hospitals; and

"Whereas Mike Harris also promised in the Common Sense Revolution that, 'Aid for seniors and the disabled will not be cut'; and

"Whereas that promise was broken when the Conservatives slapped a new user fee on the drugs seniors, the disabled and the poor are prescribed by their doctors when they are sick; and

"Whereas Mike Harris promised in the Common Sense Revolution that there would be no new user fees; and

"Whereas that promise was broken when the Conservatives added \$225 million worth of user fees on the Ontario drug benefit plan; and

"Whereas Mike Harris has clearly broken every single promise he has made with respect to protecting health care; and

"Whereas Mike Harris and the Conservatives are now planning, through Bill 26, to bestow upon the Minister of Health new dictatorial powers which would allow him to singlehandedly close any hospital in the province with the stroke of a pen; and

"Whereas Bill 26 will allow the Minister of Health to close any hospital in the province without any public input whatsoever; and

"Whereas Bill 26 will allow the Premier and the cabinet to usurp the rights and privileges of the elected members of this Legislature and thereby the rights of every person in this province;

"We, the undersigned, demand that Mike Harris reverse his policies, which will clearly jeopardize the future of quality health care in Ontario; and we further demand the Conservative government withdraw their heavy-handed, dictatorial budget bill, Bill 26."

I'll add my signature to that.

#### COMPULSIVE GAMBLING

**Mrs Sandra Papatello (Windsor-Sandwich):** "We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"(1) That the Canadian Foundation on Compulsive Gambling (Windsor) continue to receive funding in order to meet the growing need of the compulsive gambling constituents of the area.

"(2) The government is allowing the expansion of gambling activity in the Windsor area. At the same time they are eliminating the sole source of funding to the only organization which specializes in assisting the compulsive gambler to understand and overcome their addiction.

"(3) The amount of funding which is required is only 0.032% of the net profits recorded by the Ontario Casino Corp for fiscal year 1994-95."

It's signed by the undersigned, several of the people from Windsor. I hereby affix my signature.

#### HEALTH CARE FUNDING

**Mr Bruce Crozier (Essex South):** I have an additional 2,000 signatures collected by Mae Mussolum and Rose Kulimouski addressed to the Legislative Assembly of Ontario, which now makes over 6,000 signatures regarding health care. The petition ends:

"Therefore we, the undersigned, call on the Minister of Health to restore the \$132 million that was cut on July 21, 1995, in order to maintain the promise made by this government to protect health care funding and not cut health care; to reaffirm this government's commitment to no new user fees; and to ensure that the health care budget will stand at \$17.4 billion for every day of the life of this government."

I have signed my signature to this petition.

#### HOSPITAL RESTRUCTURING

**Mr Rick Bartolucci (Sudbury):** I have a signed petition to the Legislative Assembly of Ontario as follows:

"(1) To immediately implement sole governance for the Sudbury hospital system and to allow the sole governing body the total discretionary power to restructure the present system to more effectively meet the current and future needs of the people of Sudbury and northeastern Ontario.

"(2) To defer all restructuring until the sole governance board is operational and able to assess the impact from a local and regional perspective; and

"(3) To actively protect the regional programs for northeastern Ontario."

This was collected by Kerry Carswell, president of the Ontario Nurses' Association, and I submit it.

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#### REPORTS BY COMMITTEES

##### STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Mr Barrett from the standing committee on regulations and private bills presented the following report and moved its adoption:

Your committee begs to report the following bills without amendment:

Bill Pr44, An Act respecting the City of York

Bill Pr38, An Act respecting the Waterloo-Guelph Regional Airport.

**The Speaker (Hon Allan K. McLean):** Shall the reports be received and adopted? Agreed? Agreed.

##### STANDING COMMITTEE ON GOVERNMENT AGENCIES

Mr Bob Wood from the standing committee on government agencies presented the committee's second report.

**The Speaker (Hon Allan K. McLean):** Does the member wish to make a brief statement? No?

Pursuant to standing order 106(g)11 the report is deemed to be adopted by the House.

#### INTRODUCTION OF BILLS

##### CHILDREN'S LAW REFORM AMENDMENT ACT, 1995

##### LOI DE 1995 MODIFIANT LA LOI PORTANT RÉFORME DU DROIT DE L'ENFANCE

Mr Hastings moved first reading of the following bill:

Bill 27, An Act to amend the Children's Law Reform Act. / Projet de loi 27, Loi modifiant la Loi portant réforme du droit de l'enfance.

**The Speaker (Hon Allan K. McLean):** Is it the pleasure of the House that the motion carry? Carried.

**Mr John Hastings (Etobicoke-Rexdale):** Essentially, this particular piece of legislation would permit grandparents to make custody and access applications and is amended to mention them specifically. As well, the bill amends the Children's Law Reform Act to emphasize the importance of children's relationships with their parents and grandparents.



## TD TRUST COMPANY ACT, 1995

Mr Marchese moved first reading of the following bill:

Bill Pr24, An Act respecting TD Trust Company and Central Guaranty Trust Company.

**The Speaker (Hon Allan K. McLean):** Is it the pleasure of the House the motion carry? Agreed.

## CITY OF SCARBOROUGH ACT, 1995

Mr Newman moved first reading of the following bill:

Bill Pr41, An Act respecting the City of Scarborough.

**The Speaker (Hon Allan K. McLean):** Is it the pleasure of the House the motion carry? Carried.

## CITY OF OSHAWA ACT

(OSHAWA TRANSIT COMMISSION), 1995

Mr Flaherty moved first reading of the following bill:

Bill Pr49, An Act respecting the City of Oshawa.

**The Speaker (Hon Allan K. McLean):** Is it the pleasure of the House the motion carry? Carried.

## MUNICIPAL AMENDMENT ACT

(SIMCOE DAY), 1995

## LOI DE 1995 MODIFIANT LA LOI

SUR LES MUNICIPALITÉS (FÊTE DE SIMCOE)

Mr Gilchrist moved first reading of the following bill:

Bill 28, An Act to amend the Municipal Act to name Civic Holiday as Simcoe Day / Projet de loi 28, Loi modifiant la Loi sur les municipalités en vue de désigner le Congé civique sous le nom de fête de Simcoe.

**The Speaker (Hon Allan K. McLean):** Is it the pleasure of the House that the motion carry? Carried.

**Mr Steve Gilchrist (Scarborough East):** I think it is fitting that we recognize the British heritage and some of the founding fathers of this province, and recognizing civic day as Simcoe Day would, in large measure, be such a recognition.

## TOWNSHIP OF SIDNEY ACT, 1995

Mr Rollins moved first reading of the following bill:

Bill Pr46, An Act respecting the Township of Sidney.

**The Speaker (Hon Allan K. McLean):** Is it the pleasure of the House that the motion carry? Carried.

## ORDERS OF THE DAY

## SAVINGS AND RESTRUCTURING ACT, 1995

## LOI DE 1995 SUR LES ÉCONOMIES

## ET LA RESTRUCTURATION

Resuming the adjourned debate on the motion for second reading of Bill 26, An Act to achieve Fiscal Savings and to promote Economic Prosperity through Public Sector Restructuring, Streamlining and Efficiency and to implement other aspects of the Government's Economic Agenda / Loi visant à réaliser des économies budgétaires et à favoriser la prospérité économique par la restructuration, la rationalisation et l'efficacité du secteur public et visant à mettre en oeuvre d'autres aspects du programme économique du gouvernement.

**Hon Al Leach (Minister of Municipal Affairs and Housing):** Bill 26 has been presented for second reading, and this afternoon I would like to talk in more detail about the municipal section of Bill 26.

It amends a number of acts dealing with municipal finance and governance. This legislation gives municipal-

ities freedom to make decisions locally, to spend money on their priorities. Municipalities need this freedom now more than ever.

Last week, the Minister of Finance told the House why the provincial subsidies had to be reduced, and the people of Ontario had made it very, very clear that they cannot afford to pay more taxes. This means municipalities will have some difficult choices ahead, but municipalities across the province have said they can make this work without increasing taxes.

Municipalities know that services are important to taxpayers, but not who delivers them. People don't care who picks up the garbage; they just want to get it done, and they want it done cheaply. I am confident that municipalities will find ways to deliver services for less.

Municipalities are just as interested in getting rid of waste and duplication as this government is. The problem is that many Ontario municipalities don't have an effective structure to address economic, fiscal and servicing issues. Current legislation makes the situation worse. It prevents municipalities from making changes to their structure without legislation from the province.

Taxpayers have made it clear that they want less government, more cost-effective government, more efficient government. Our legislation will make this happen, and it will ensure that the services that are important to people get delivered more efficiently.

Municipalities have recognized the province's debt problem. They're ready to work with us and be part of the solution. Mayor Hazel McCallion of Mississauga has said, "We'd better smarten up and realize we've got to get this province out of debt." The debt of the province is preventing economic development.

Mayor Jim Gibson of Fergus said: "Now is the time to face reality. We've got to balance the provincial budget. We can't continue to rob from our children's future."

Closer to my riding of St George-St David, Mayor Barbara Hall of Toronto and her council passed a resolution last week not to raise taxes as a result of the government reductions.

Many municipalities haven't waited for this legislation and have started redesigning how they deliver services already. Earlier this year, the regional municipality of Halton transferred its entire sludge treatment program to the private sector. Because of this, Halton region expects to save \$2 million over the next eight years, or about \$250,000 a year.

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The city of Toronto has started to reorganize to have just four commissioners. This move will streamline decision-making and reduce administrative overhead.

Another example is the city of Hamilton and the regional municipality of Hamilton-Wentworth, where the city's treasury department and the region's finance department are being merged for a savings of up to \$1 million a year.

It is this spirit of cooperation that will make this legislation work. It's not just the province that thinks it's time for change; many municipalities obviously agree that the time for change is now.

I'd like to take some time to tell the House the details of the legislation. The legislation we are presenting for second reading today responds to municipalities' requests for increased autonomy to manage their costs and expenditures and prioritize service and delivery. Municipalities have been asking for this autonomy for many, many years.

I want to assure the House that when this legislation is passed, municipalities will have more freedom to make local decisions. I am confident that municipalities will make the right choices for their communities, choices that are cost-effective and give people the services they need. In the end, the taxpayer will be the winner.

In fact, we're sure enough that municipalities will make the right choices that we are giving them the flexibility to decide how to spend the money we give them. In the past, municipalities received money from the province under a number of different programs. Most programs had detailed and specific conditions, conditions that the province really should not have had an interest in.

The new legislation removes unnecessary restrictions. The municipal roads grant and the northern community transportation assistance grant will have funding conditions removed. They will be transferred, together with the unconditional grant, into a lump sum or block fund called the municipal support grant. Municipalities will be able to spend this money on local priorities.

The province will still set minimum standards when it has a significant interest. For example, there will be a provision to ensure that municipalities comply with interprovincial trade agreements signed by Ontario and other provinces.

I don't want to gloss over the fact that municipalities will be receiving less money. Some municipalities, probably many municipalities, will need to restructure to manage their reductions. Municipalities can restructure by streamlining their operations or by realigning jurisdictions, but they must do whatever it takes to deliver services for less.

Some people get nervous when there's talk of changing municipal boundaries. They worry that taxes will go up and they worry that they will lose their sense of community identity. I believe that restructuring can result in a municipality providing the services taxpayers need at a cost they can afford. Moreover, this can be accomplished without any loss of identity. Government structures may change, but not communities. Communities and the things that make them communities, like the local ball team, the community newspaper, the community service clubs, will all continue to exist.

New Tecumseth in Simcoe county is just one example of successful restructuring. Before 1991, the present town of New Tecumseth contained four separate municipalities: Alliston, Beeton, Tecumseth and Tottenham. Since these four municipalities amalgamated, spending and property taxes have declined. General government spending has been reduced by more than 11% and there are 13 fewer local councillors and fewer municipal staff. The former reeve of Tottenham fought hard to stop that merger. She now acknowledges that the new municipality is leaner, more efficient and better equipped to attract and handle

growth. When asked if she would like to return to the old days, the former reeve replied, "In my heart I would, but in my head I know we shouldn't."

If successful restructuring is already in place, why do we need to change the legislation? It is because the current legislation is cumbersome, inefficient and expensive. Unless there is 100% consent by the affected municipalities, provincial legislation is needed to implement restructuring. In the past five years, only 16 restructurings were done. Twelve of the 16 required provincial legislation. In my mind that's not local decision-making and it's certainly not getting the provincial government out of the way of local decision-making.

Let me tell you how we're making it easier for municipalities to restructure themselves.

Under the current system, if only one municipality doesn't want to restructure, the other municipalities and all the taxpayers suffer. Under the proposed legislation, a group of municipalities will be able to restructure if the majority wants it. By "majority," I mean a majority of the municipalities representing a majority of the population. In fact, some municipalities have already told us that they want to amalgamate but the current system puts up too many roadblocks. I've also received requests since Bill 26 was introduced for municipalities that want to restructure under the new legislation.

I want to assure the House that any restructuring will be initiated locally. A commission will be appointed only on request either by at least one municipality or by a petition of residents. I should point out that regions and the restructured Oxford county are not included in the new process. This is because many regions are already actively involved in their own restructuring process and some, such as Ottawa-Carleton, recently completed the job of restructuring. Oxford county has done that as well, and that is why it is excluded from the new legislation.

As my colleagues know, the future of the GTA is currently being considered by the GTA Task Force headed by Dr Anne Golden. Again, it seemed reasonable to wait for the Golden report rather than include the regions of the GTA in this legislation.

For municipalities that are streamlining their operations, the proposed legislation includes a toolkit to help them. These tools will help municipalities reduce costs and raise revenues. As I said before, municipalities have been asking for these changes for many years.

Municipalities will be able to control costs by cutting out some of the inefficiencies and duplication. Currently, for a service such as municipal roads, both levels of local government have certain responsibilities. Even though each level has a defined role, overlap and waste occur. We're changing the legislation so that responsibilities for services such as this can be transferred from one level of local government to another. For example, roads, fire services or transit could be assumed by the upper tier if there is a majority approval by the upper-tier council and a majority of local councils representing the majority of electors. I'd like to point out, however, that no changes will be made at this time to welfare or policing.

The large number of special-purpose bodies ties the hands of municipalities and prevents them from managing their budgets efficiently. Taxpayers support the budgets



of special-purpose bodies but in many cases they have no say in who is appointed to the board or in the decisions they make. The proposed legislation will allow municipalities to change or even dissolve special-purpose bodies. Some examples of special-purpose bodies that could be dissolved or changed by municipalities are licensing commissions, parking authorities or transit commissions. A full list will be identified in the regulations.

Police services boards are exempt from dissolution. A review of the structure and financing of police was introduced last week by my colleague the Solicitor General. School boards will also be exempt from dissolution.

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The proposed legislation will give broad, general authority to municipalities to charge user fees. Municipalities will be able to increase their revenue by establishing new fees or charges for services such as emergency false alarms. This means that people who use certain services will be the ones who pay for them, not all the taxpayers in the municipality.

I am confident that municipalities will be reasonable in the user fees that they charge. Under the current legislation municipalities are allowed to charge user fees for certain services, such as garbage collection or transit. Experience has shown that such fees charged have been fair and reasonable.

The new legislation will allow municipalities to license most retail businesses or trades and set appropriate fees. This is another area where the current legislation is grossly outdated. Right now, a municipality cannot even recover the cost of postage when it licenses a bakery. The \$1 fee for a bakery licence is set out in legislation, and so is the \$20 fee for a restaurant licence. This doesn't make any sense and obviously needs to be changed.

We have an excellent example of where this was handled very responsibly, and I'm referring to the city of Brantford, which received general licensing authority in 1985. I have every confidence that other municipalities will respond just as responsibly.

For years, municipalities have wanted to be able to establish private-public partnerships for service delivery. Our legislation will allow municipalities to make decisions on how their public utilities are provided, without a referendum. For example, if a municipality wants to privatize water services through a franchise, it will be able to do it without putting the question to voters.

Not many municipalities deliver gas utilities, and those that do are regulated by the Ontario Energy Board, so our legislation does not make any changes for the delivery of natural gas.

Regulations will also allow municipalities to downsize through early retirement. They will be able to extend early retirement on an unreduced pension until the year 2000.

Another area covered by the new legislation is performance measures. The province is getting out of the municipalities business. We've reduced or eliminated the conditions on grants, so they can now stop sending us the mountains of paper and information on how they spend their money.

Instead, this bill makes municipalities more accountable to the people who really need to know—the residents themselves. It's the people who live in municipalities who need to know how well their municipalities are performing, so municipalities will have to publish the financial information their ratepayers need to know.

My colleague the Minister of Natural Resources is making some changes to the conservation authorities through this legislation. There will no longer be provincial appointees on conservation authorities. Membership on the boards will be controlled by municipalities. Municipalities will decide what the role or function of the conservation authorities should be. In fact they will even be able to dissolve conservation authorities.

Flood control will continue to be a municipal responsibility, whether there is a conservation authority or not. A conservation authority's power to levy will be restricted, and municipalities will be able to appeal their levy to the Mining and Lands Commissioner.

As you know, Mr Speaker, the Ministry of Transportation's roads grants have been brought into the block grant. Municipalities will have the freedom and flexibility to spend, based on their local roads needs, and they will also be able to streamline their programs and services.

The province will also have a transition fund to meet its commitment for certain projects and initiatives affected by the change. Maintenance costs associated with the sections of provincial highways that run through towns and cities will be funded as part of the block grant system.

I believe this legislation will help municipalities find ways to reduce costs and deliver services to taxpayers at a price they can afford.

The Association of Municipalities of Ontario issued a news release after the economic statement in which its president, Mr Terry Mundell, said: "We expected the cuts to be deep and we were right. We are prepared to take action, but we need continued cooperation from the province to eliminate red tape and outdated rules that tie our hands." Bill 26 is proof that this government is listening and moving in the direction of increased municipal autonomy.

**Mrs Lyn McLeod (Leader of the Opposition):** As undoubtedly everybody in this assembly is aware, there has already been considerable controversy engendered by the presentation of this bill, controversy engendered by the way in which the bill was presented with absolutely no notice, controversy over the scope of the bill and the nature of its measures, controversy engendered by this government's determination to push this bill through before Christmas with no public hearings and with no opportunity for legitimate debate.

There will now at least be some public hearings despite the government's very strong resistance. There will be some opportunity to examine the details of this bill more fully and to propose amendments. There will even be time for the government to propose amendments as it is forced to acknowledge what it has done.

This preliminary debate on second reading can only be a precursor to what will now be a more intensive examin-

ation of the bill outside the Legislature itself. Even then it will be difficult to focus the hearings or to carry forward any kind of thorough amending process, because this bill simply covers too many areas. It makes too many fundamental changes to be able to do justice to it even with three weeks of hearings and a week for clause-by-clause consideration and the amending process.

I can't even begin to speak to the highlights of this bill in a thorough way. We cannot, in a two-day debate, speak even to the highlights of the bill in a thorough way. In the 90 minutes that I have as the leadoff speaker for our caucus to address this bill, I cannot begin to address the highlights.

This bill is 211 pages long. It affects 47 different pieces of legislation. There are single clauses in this bill that bring about fundamental changes that deserve to be debated and challenged in public hearings, and I can't even read this bill into the record in 90 minutes of debate time. But at least this debate that is about to begin, that will be given only two days, two days of debate before we've even begun to have a chance to analyse what's in the bill, at least now this will not be the only consideration that this bill receives before it becomes law.

I believe that the government's original intent in bringing forward this legislation, in wanting to ram it through despite its scope, was absolutely breathtaking in its arrogance and its sheer disregard of any due democratic process.

It is still impossible to debate this bill as it has been presented because it is not one bill but many. Each part introduces sweeping changes unrelated to one another. Each requires due consideration on its own merits or the lack of them. Some parts give unprecedented powers to this government, dictatorial powers, yet this government presents the changes in an omnibus bill with no prior notice and no time allowed for debate.

Nor was there any consultation in the preparation of this bill, even though it becomes increasingly apparent that this is a bill that was developed in a great deal of detail over a very long period of time, because it was presented to us in its full 211 pages fully translated, yet this government could take no time for consultation, no time to give prior notice, allowed no time for debate. I suggest it was not because there wasn't enough time but because there was a deliberate desire on the part of this government to limit awareness of what it is doing.

Never before have we seen such an extensive piece of legislation prepared in such total secrecy. If you believe you are right as a government, if you believe you're going to have public support, I wonder why you would make such an effort to keep the public unaware, why you would be so determined to ram this legislation through before there could be due awareness or due debate.

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We asked that very question over and over again in the Legislature last week, and the only answer we got back from the government was that the government needs to give itself these powers to back up its cuts. So let us call a spade a spade and let us see clearly that this is a budget bill by any other name, and ironically, it's a budget bill

without a budget, because we have now gone, as we approach the end of this year, for the first time in history, a full year with no budget.

Again, we wonder why the government could not have a presented a budget. They've presented us with two expenditure statements. They've presented us with a budget bill to back up their budget-type measures. Why could they not have presented us with a full budget?

I suspect it's because this government does not want to be slowed down by such a time-consuming thing as public consultation on a budget or a full public debate on a full budget—not before they have made their brutal cuts and established a direction of destruction of our public programs which will not be able to be reversed. This government would not want to be held accountable for the defence of a full budget before they have established their savings, as they refer to the cuts in the expenditure statement.

They said this government knows there have been few real savings yet, there have been only cuts, and so they need what they call a restructuring before there can be any real savings achieved. And that's what the government claims Bill 26 is all about. "It's just a restructuring bill so that we can make the cuts that have to be made."

Now, this government's view of what constitutes restructuring is as sweeping as this bill itself. It includes restructuring the way health care is provided to people in this province, restructuring the way our drugs are paid for, restructuring the way our municipalities are managed. It even goes so far as to restructure the way in which freedom of information is controlled.

Some of the changes are fundamental, some may seem to be much less drastic, but there is an underlying pervasive theme that emerges when you combine the government's brutal cuts with this "restructuring" bill. It is clear that this government wants to restructure our society, and our social programs in particular, to fit their vision of the world as they want it to be, and as they in fact need it to be if they are to bring in that promised tax cut in their first real budget.

So this government can't wait to debate the nature of its proposed restructuring. They can't wait for people to actually know what they're doing or what this province will look like when the restructuring is done. And they certainly aren't going to take any chance that anyone might have objections to the way the restructuring is being carried out. So they give themselves unilateral, sweeping powers to step in and make the decisions, or give others the ability to make the decisions, with no need for legislation or debate in a forum where the decisions can be publicly challenged.

After all, debate would be time-consuming. Legislation brings people's attention to what is being proposed. It forces dissident views to be taken into consideration, or at least heard, and the government, this government, simply can't take the time for that. They need to find some savings before they can bring in their budget and their tax cut, and they need to make those savings happen fast.

If the government gets away with this, there will be little public debate or genuine consultation on anything in



the future, because this is a government that wants to set new rules, rules where they unilaterally set the terms and conditions before they talk, and the message they give is, "If you want to talk to us, if you want to be a partner with this government, you do it on our terms or you don't do it at all."

This government talked about partnerships with municipalities. Yet they tell them nothing about what is in this particular piece of legislation, and they certainly didn't want them to find out before it was law.

They talk about partnership with the Ontario Hospital Association. They say they're only doing what the partners want, but the partners had no idea what the minister was about to do. The minister still claims that he was only doing what his partners in the Ontario Hospital Association asked for, even when they have said as clearly as they can possibly say it, "What you are doing goes far beyond anything we discussed."

This government talks about partnerships with physicians, but they discuss only the issues the government plans to act on. The other steps the government is going to take never get mentioned, and there is no openness in that kind of a partnership.

The pharmacists now seem to be completely ignored as partners. They offered consultation, and they were not talked to at all, because the government knew what it was planning to do and knew the pharmacists would not agree. The pharmacists have been forbidden to even try to stir up a little bit of opposition. This government's message is: "You cannot be a partner unless you agree to my dictates. It's my terms or nothing at all."

I think it's important to try to give at least a flavour of what this bill does at the beginning of the debate, just a few of the highlights of this ominous bill that takes so many changes under its wing and that the government wanted to ram through in two weeks with one vote on the whole thing. So we have proposed just the 10 top reasons to oppose Bill 26:

(1) It gives the Minister of Health unilateral power to close or amalgamate hospitals and to terminate services that hospitals provide.

(2) It allows for \$225 million in new user fees for prescription drugs, in effect taxing the sick.

(3) It deregulates the cost controls on prescription medication, leading to sharp increases in the price of drugs.

(4) It gives the Minister of Health unilateral power to remove health care services from OHIP coverage, meaning these services will have to be paid for by the public.

(5) The Minister of Health is given the power to inspect, copy and disclose personal medical records.

(6) The government can place a lien on your house or car if your highway tolls aren't paid promptly.

(7) It gives the Minister of Municipal Affairs and Housing new powers to merge or dissolve municipalities.

(8) It allows municipalities to charge new per-person poll taxes whether or not you use various municipal services.

(9) It implements new user fees for freedom of information requests and provides greater powers to the government to keep files secret.

(10) It gives the government the power to claw back over \$200 million in payments to retired civil servants.

Those are the top 10 of the moment. The list keeps changing as little by little we become aware of all that this legislation would do.

In spite of the fact that this legislation is so sweeping in its scope, I don't suppose any of us should be surprised that this is a government that sees no need for more than a few hours' debate on all of these measures taken together, because this is exactly the same government which believed it was doing the opposition a favour giving us just two days to debate its expenditure statement.

They make huge cuts that will have devastating impacts on programs and people across this province. Now they bring in legislation that gives them enormous power to make those cuts possible, and yet they think it is somehow doing the opposition a favour by allowing any discussion in the Legislature at all.

If you needed any further evidence of this government's total disdain for the democratic process, you have it now. We have had much past evidence of a government that is impatient to carry out the nastiest parts of its agenda with as little public scrutiny as possible.

We have a government that did not bring the Legislature back until September 26, almost three months after it was elected. Now, the House leader gets indignant at our criticism that they were late bringing the House back. He said he brought it back according to the schedule; they even delayed it a day in respect of the Jewish holiday. But this House could have been recalled in July, when the first expenditure statement was brought in. In fact, we could have had a budget then. We could have had the budget debate that we would have welcomed when this government first started down its slash-and-burn path. But that would not be consistent with the style that this government has adopted from its very first hours.

This was the government that cancelled its hearings on school closures because it didn't want to hear from people who would have vested interests. This is the government that rammed through labour legislation with no public hearings. This is the government that closed halfway houses with no notice at all. This is the government that is preparing to privatize our public sector programs with little or no debate. This is a government that still refuses to present a full budget after six months in government.

Then, with no notice, while we were in the lockup, required by the government if we wanted to learn of its cuts, this government slipped in an omnibus bill, an omnibus bill that is usually a housekeeping bill. Now, were we expecting an omnibus bill in the House before Christmas? Yes, we were. There's always, or often at least, an omnibus bill. But we didn't know what would be in this bill, we didn't know it was going to come in while we were in the lockup and we certainly expected

that whatever omnibus bill was brought in it would fit the usual description of items that might not need a lot of debate or public consultation.

This bill that this government brought in while we were all in the lockup learning about the cuts affects everything from the Municipal Act to pay equity to drug pricing. It gives sweeping powers to the government to close hospitals or to amalgamate municipalities, and this government wanted all this passed by Christmas. This government wanted in the worst way possible to exercise the most dictatorial abuse of power in the history of this province.

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The government said we were notified that the omnibus bill was coming, that it was not without notice; and we did know it was coming. We did, in fact, expect it to be a little more than usual given the rumours we were hearing, but we had no idea it would be so sweeping. It was particularly offensive that this government would bring in this bill during the budget or non-budget lockup.

I guess they hoped that the opposition and the media would somehow not notice the unprecedented changes of this huge new bill, and here again is arrogance beyond belief, arrogance and complete lack of respect, not only for the role of opposition in a democracy, but even for the capabilities of opposition members. Did they really think we would not notice, that we wouldn't understand? Did they really think we wouldn't do everything in our power to stop this?

Who knows what they thought, because their action to me continues to be absolutely inexplicable. Maybe the only answer is that this government simply didn't care. Introducing this bill while we were in a lockup was rather like dismissing us out of hand in the most offensive way possible. Yet, in a way, it worked. It worked because it succeeded in diffusing our critique of the cuts they were making that same day, diffusing our critique of the broken promises that littered the political landscape that Wednesday while we focused on trying to stop the next and even worse step this government was about to take.

But we should remember, as we debate this new draconian bill, how closely this bill, this bully bill, is linked to those very cuts that they announced in their non-budget expenditure statement that same day, and how it is serving to pave the way for the savings they want defined to fund their tax cut in their next budget or first budget.

This is a budget bill. It backs up the budget-type cuts in the revenue proposals; revenue proposals like new user fees, new user fees for health care. Yet we have no budget; we don't have a budget debate because there's no budget. If this had been a budget, there would have had to have been some debate, but that would have been much too open a process for this government. So again, for the first time in history, Ontario has no budget and no budget debate.

At least there'll be a vote on Bill 26, although it will still be rather meaningless because this government is determined to leave this bill as one piece of legislation with one vote. But at least we have a vote. We don't have a vote on a budget yet, and the vote on Bill 26 will

now hopefully follow some kind of amending process. But there will not be a vote on accepting their budget-like document, their expenditure statement, and I wonder what the government gains by all this other than to escape detailed scrutiny.

It seems to me that this is a government very anxious to escape scrutiny. In fact, they want to escape scrutiny on nothing less than the entire fiscal plan of the government because there were several critical missing pieces to the expenditure statement, the financial document that they've released. They're missing pieces that would have had to have been part of a real budget.

The missing pieces were rather crucial things like the actual financial plan, with figures showing the revenue figures that the government's working with, and what its deficit projections are in reality and how close they are to achieving them. They would have had to show how much is going to be taken from each ministry, where \$1.1 billion in cuts still have to be found or where \$1.4 billion in additional grant cuts have to be made. They would have to show whether there are going to be even more cuts if this government is really going to bring in its tax cut and still balance the budget.

But because they didn't give us a budget, the government wasn't required to present those figures; it just told us what it wanted us to know, and it used deficit projection figures from its campaign document, a document in which the numbers were highly suspect and didn't add up even if you were inclined to believe them.

Now we have even more reason to be concerned about those figures than when they were originally presented, because this government, and particularly the Minister of Finance, has been all over the map in recent days in telling us whether or not the tax cut has been taken into account in the cuts they've announced, or whether or when or how the tax cut will even be made; and you wonder how a government has the sheer arrogance to bring in the kind of brutal cuts that it has given us in the past five months with no budget to show us what it is achieving, what we're supposed to get and when we're supposed to get it in return for all this pain.

Then you wonder how they can back up this non-budget with sweeping legislative changes that they didn't even want to have aired publicly or debated or amended. The Minister of Finance has said they had no choice; they have to give themselves these sweeping powers to do whatever they believe they need to do. So forget any pretence of this being a democracy. These are tough times. What we need here and now, according to the government, is full-fledged dictatorship, and that's what the Tories are giving us.

They probably say they have a mandate, but I don't believe that the voters of this province gave this government a mandate to slash indiscriminately. I actually think, although I was somewhat surprised by it, I confess, that the voters believed Mike Harris when he said he could balance the budget, cut income taxes, and do it without cuts to health care or classroom education or policing or seniors or disabled programs or agriculture or tourism or natural resources. And if anybody had thought to ask about cuts to children's aid societies or child care or



counselling for battered women, he would probably have said there'd be no cuts there either, because whatever group he was talking to during that election campaign was given an assurance that there would be no cuts.

"Vote for me and you can have it all," he said, "jobs, a balanced budget, a tax cut and no pain." So a significant number of people were seduced, not a majority of Ontarians but enough to give this government a majority, and all they have done with that mandate is to inflict pain. This is not, I submit, what the electorate gave them a mandate to do.

If Mike Harris had been honest with the electorate, he would have told them that they could choose any two out of three commitments. They could have a balanced budget without hurting essential services but no tax cut; they could have an income tax cut and protect essential services but no balanced budget; or they could have a tax cut and a balanced budget but valuable and needed services would be devastated.

Now, I wonder which option the electorate would have chosen. I wonder if anybody believes that the Ontario electorate would have chosen devastating cutbacks in order to have their income tax cut. I don't believe that's what the people of this province would want and I don't believe that's the mandate they gave this government, but that's what this government has given them.

They are giving the public no opportunity to say: "Wait a minute here. You didn't tell us that this is what you were planning to do. You told us that all you had to do was bring in a few efficiencies here, fix a little fraud there, nothing that would actually hurt us. You promised that we wouldn't feel the pain."

For months now people have been starting to feel the pain of this government's cost-cutting, and now the pain is going to get deeper as the government paves the way for its income tax present to the well-to-do. And it is going to get worse still as the sheer impossibility of managing this level of cuts without sacrificing services is recognized.

The government says, knowing all that, that they have to give themselves unusual powers because these are tough, unusual times. "We need unusual powers so that when people come to us and say, 'This isn't what we gave you a mandate to do, this isn't what we expected,' the government can say: 'Tough. Stop complaining. We'll tell you what's good for you. You can howl all you like. We'll do what we want to do and no one can stop us because we have a majority.'"

Of course, those aren't exactly the words the government uses. Instead they say things like: "We're just giving ourselves and our partners the tools we need to do what needs to be done. We all know there needs to be change. We have to do things differently. All Bill 26 does is provide for restructuring so that we can do things differently."

Bill 26 does indeed provide the tools for restructuring, tools that will be used in a unilateral and dictatorial way. The government says, "No, we won't use our new powers except as a last resort." Make no mistake, the last resort for this government is anything they have has to do to

make good on the most unrealistic of their campaign commitments.

1600

These are tough, difficult times, and we agree. The government keeps saying, "Everyone knows there's a financial problem and everyone knows we have to do things differently and everyone's prepared to do their part," and we agree. If everyone agrees and is willing to do their part, government doesn't need unusual, dictatorial powers to do it to them. I suggest that even in the toughest of times, there are limits beyond which you cannot find the dollars you need to meet real needs, and this government has pushed hospitals and school boards and colleges and universities and municipalities and social service agencies and community service agencies well beyond that line.

I believe the restructuring that this government is considering goes well beyond Bill 26, and that is one of the reasons I am so deeply concerned with this bill. I believe the restructuring that they're planning will change us in ways we've not even yet begun to contemplate, and it will be driven not by informed and thoughtful public policy debate but by a dictatorial government's ideological and financial imperatives. Because, you see, it does seem to all work together if you're a true believer in the right-wing, survival-of-the-fittest, let-the-market-reign philosophy of the Harris government.

You need to balance a budget with a \$10-billion deficit and still give people a \$5-billion tax break? Okay. No problem. Just squeeze the public sector until it can't deliver service any more.

But how, you might ask, do we then provide for the health care needs and the education needs of our citizens? No problem. Let the private sector in. Let the marketplace solve the problems.

Does that create an inequity between those who can afford the best service and those who have to take what the public system can provide? "Tough," says the government. "We have to get the budget under control. We have to change. We have to do things a little differently. This is just a little restructuring. What are you so worried about?"

Well, I'm worried, because I think that when you combine the underfunding of the public system with this government's willingness to restructure and to privatize, the consequences are inevitable. The government will not be able to close enough schools or close enough hospitals or take away enough of our health care coverage or charge enough user fees to make up for its brutal funding cuts, so the publicly funded systems will deteriorate, and the pressure to let the private sector step in will be enormous. We are on our way, ladies and gentlemen, to two-tiered health care and two-tiered education.

Some of this restructuring focus I believe is ideological, which is why the government seems so totally comfortable with it. Some of it comes from a government that is at least comfortable with the privatization of services.

But most of it comes from the need of this government to deliver its crazy income tax cut. It is truly unbelievable

that this province and its people should be facing this kind of cutting and this kind of radical restructuring to deliver a campaign promise that no one ever believed made any sense at all.

The government is being tough, all right: tough and heartless and dictatorial in its determination to set the stage for this tax cut. They believe that if they make all the cuts now and make them before Christmas, the shouting will die away, so they're prepared to do whatever they have to do to get the cuts they need now to pay for their income tax cut later. From now on, they believe, things will get easier and people will forget the draconian cuts of November 1995, and they hope that people will accept their argument that big daddy government is just acting in their best interests.

In the meantime, they send a clear and unmistakeable message. They send the message that whether you think the government is right or wrong, and no matter how deep and broad the pain, you had better not complain. This is tough medicine but it is good for you so just swallow it and keep quiet.

And just in case someone might have the nerve to object to what the government is doing—maybe an objection from a hospital board down the road that doesn't agree with the minister's views on restructuring, or a community that might not be forcibly amalgamated by the Minister of Municipal Affairs, or a union that just might want some fair and reasonable negotiations—this government stands ready to take away any power that they might have. They believe no one will care. The government will just point out that the complainer represents a special-interest group and that that special-interest group shouldn't be listened to, and those foolish enough to complain will face the wrath of all-powerful, big daddy government.

The government's hoping that by the next election the pain will be a distant memory, that the economy will have recovered, that there will even be some room for a little comforting pre-election spending.

But the strategy will backfire, I serve notice on the members opposite today. The strategy will backfire, it will not work, first because it is based on Conservative campaign commitments and Conservative campaign numbers that simply don't add up and never did. A strategy built on such a shaky foundation will inevitably collapse. It won't work because concerned citizens across this province will see and will feel the magnitude of the pain that is being inflicted to bring in an income tax cut and they will say no. They will see the injustice of this government's actions and they will say no. They will see a government replacing democracy with dictatorship and they will say no. Hopefully, they will start to see through this government's honeyed words about restructuring and realize that this government's answer to our financial problems is to slash public sector spending and let the private sector in to fill the gap.

I happen to believe that there is a place for private sector partnerships—without question, there's a place. But I also believe that there's a need for debate, step by step, as to whether each partnership works and is appropriate. When we come to health care and to education, it is

essential that we debate not just the appropriateness of the partnerships but the role of wholly private for-profit versus public not-for-profit services. These are critical defining issues of our social system. These are the values that are at stake here and surely they need to be debated.

I recognize the fact that the government takes comfort in the knowledge that there are those who support the government's agenda and particularly its cost-cutting agenda. They believe that things do need to change and that public sector spending has to be slashed in order to meet the deficit goals. They, like the government, will not want to pause long enough to reflect on whether this is the best way to go or what the implications of the specific changes will be for the future of this province.

The financial markets and the business community will give high marks for tough deficit reduction measures, although the budget analysts confess that they are a bit concerned with the lack of a fiscal plan in the financial statement and all those who believe that deficit reduction should be a priority have reservations about the proposed income tax cut—they just don't believe it's ever going to happen. That's one reason why we had no budget this year, so that the praise that the government is expecting for its deficit-fighting measures wouldn't be clouded by criticisms of the sheer inanity of bringing in a big tax cut when the goal should be deficit and debt reduction.

That strategy didn't quite work because, lo and behold, people weren't so unaware as the government hoped. People were actually conscious of the income tax cut promise and many realized that the size of the cuts that we are seeing is a direct result of that income tax commitment. Even economists and those who analyse budgets agree that a big tax cut makes no sense at all when you're facing a \$10-billion deficit.

Nevertheless, this Conservative government is making the cuts in spending in preparation for its tax cut. With Bill 26, they back up the budget cuts with the power to deliver the so-called savings, paving the way for that tax cut to happen. They are counting on things looking better by spring and they hope they can sell their tax cut in a less critical financial world, except that things will not be a whole lot better, not if this economy continues to sputter and the government's anticipated revenues continue to decline. Sadly for this province, I believe that is what will happen.

We should never lose sight of the fact that there are some bottom lines here. One of those bottom lines, one of the greatest concerns people have is whether this government's actions help or hurt our economy. If their actions don't help this economy, we will never get people working and we will never get people off welfare and we will never see a balanced budget, and neither government cuts nor government's unilateral actions to bring in sweeping changes will find acceptance anywhere if the economy is not helped.

Our economy right now is in a precarious state. There were 14,000 fewer jobs in October than there were at the start of this year. The housing market is lower than it has been in five years. People are not spending money this Christmas because they're concerned about their jobs. This set of announcements—the expenditure cuts coupled



the same day with the powers to change the very nature of our society—is going to do nothing to restore consumer confidence.

The government's counting on the tax cut. They put all their eggs in one basket and they are counting on the tax cut. They are putting us all through this because they're counting on the tax cut as an economic stimulus, their way of getting the economy going again, their sole solution to get the economy going again. But the income tax cut is not going to provide an economic stimulus until it's actually in place, and I don't believe there's any evidence that it will provide an incentive for economic growth even when it is introduced.

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The people who benefit the most from the tax cut, the only ones who are going to get enough money out of it to make any investment at all, are the people who already have the money to spend and the money to invest.

The middle-income earner is not going to feel much better off, not when their jobs are insecure, their property taxes are going up, they get hit with a head tax because Bill 26 makes that possible, their child care and tuition increases are eating up more than the tax cut dollars, and there is a whole whack of new user fees coming at them thanks to Bill 26. Given all of this, there is not going to be a lot of new spending or long-term investment by middle-income families, so where is the economic stimulus going to come from?

I find it interesting that even the Minister of Finance seems belatedly to be recognizing this simple fact. He says that there really wasn't a tax cut planned when he came in as Minister of Finance. He says, "I guess some things were just not thought through carefully enough," which is an understatement if there ever was one.

In the meantime, the dislocative effects on the economy and on jobs of this government's cuts will be enormous: 80,000 lost jobs and the loss of all the economic spinoffs that come from people working. That, I suggest, is the environment that the government will be looking at next spring as it prepares to introduce its tax cut.

The financial market people will still say, when the government starts to cut taxes, "Why are you doing this when we still have a huge deficit and you are adding billions to the debt?" People across this province will say: "We don't understand what's happened here. The government cut our health care, they cut our education, they cut our child care; they give themselves dictatorial powers to close our hospitals, to force the amalgamation of our municipalities; they decide what health care we can have and where we can get it and who will provide it; they charge our seniors for their drug use; they increase the cost of drugs for everyone who has to buy them; they even threaten to take away our house if we miss paying the tolls they put on our roads, and things still aren't getting any better. We still have high unemployment. People are still losing their jobs. What have we gained from all this pain?"

The impact of the cuts will not be forgotten and the impact of Bill 26 will not be forgotten next spring as the government brings in its first budget. It will be felt in

every area that the government touches with this bill. It will be felt by every individual in every community across this province. There will be mounting frustration as people realize what's been done and how helpless they now are to prevent it in the face of the enormous powers the government proposes giving itself with this bill.

I want to turn to the specifics of Bill 26, at least in respect of the provisions that give us the greatest initial concern. As I said at the beginning, I'm sure there will be other areas that emerge as concerns as this debate continues. There are many areas that I simply will not be able to touch on today.

I do want to look first at health care, where the restructuring is most extensive and, I suggest, most dangerous. I want to make it very clear that the restructuring of our health care system as it is presented in this bill serves one purpose and one purpose only, and that is to find money for a government that talks about savings but has so far made only cuts.

This bill does nothing to plan for the efficient, effective delivery of health care so that we can continue to meet new pressures and emerging needs. This bill seeks to give the government the tools it needs, the powers it needs, to wring money out of the health care system to make up for the \$1.5 billion it has already arbitrarily taken out to pay for its tax cut.

Health care was to the government, according to their own words, their first and most important commitment. "Not a penny from health care," they said—not a penny—yet they took more than \$100 million from health care in their first financial statement and now they've cut a full \$1.5 billion from the health care budget.

They're taking away \$1.3 billion, 18% over three years, from hospitals, those same hospitals that are already facing layoffs and longer waiting lists for surgery and overcrowded emergency departments. The cuts to hospitals are going to mean less health care in the community and more bed closures, not because there is duplication but because of a lack of dollars. There will be less emergency coverage and fewer nurses and less patient care, because hospitals are being given no options.

The minister has talked a lot about restructuring to save dollars, and we agree. Again, we agree that restructuring is needed and it can happen to save dollars. We agree that restructuring can save needed dollars that in turn can go to provide the care patients need, but we believe that the savings from those restructurings should stay in the community, because it will be a struggle for hospitals to meet new and growing needs with existing resources.

That challenge alone would force the hospitals to look at new ways of doing things—it is forcing hospitals to look at new ways of doing things. But the hospitals cannot meet increased demands with fewer dollars.

The Premier and the Minister of Health keep talking about reinvesting the health care savings, but there hasn't been any saving yet, only \$1.5 billion in cuts, and now the minister has to find the \$1.3 billion he has taken away from the hospitals, has to find those in savings to put back into the system if they're going to make good

their word to reinvest. So the minister is planning to find the dollars to make up for what they've already cut by closing hospitals. We're not talking about carefully planned restructuring now; we're talking about closing hospitals to pay for a tax cut.

As the minister starts closing hospitals, we can expect him to reallocate at least some of the dollars saved. It's going to be a reality that we will see announcement after announcement, I'm sure, very politically appealing kinds of announcements as the Minister of Health decides where the health care dollars should go.

There's no question that there are challenges in a host of specific areas facing our health care system. We know there are waiting lists for cancer care and for cardiac care and for kidney dialysis, but I don't believe you can start to meet those challenges by taking dollars away from the front-line hospitals.

There are areas for saving money in the health care budget without taking dollars away from hospitals, but this government seems to think that cuts to hospital budgets are fast and immediate, particularly if any dissenting views in the community are ignored.

We're not going to look forward to the announcements that the minister will have to make about the hospital closures to come. Surely, as he has the politically appealing announcement of reinvestment, he is also going to be the one who makes the announcements about the hospital closures, since he's the one that's going to make the decisions. He's taking over the power of making decisions for hospitals in every community.

I wonder where is the Minister of Health—I thought it was Jim Wilson—who said that communities should decide. His view now seems to be, "Make a decision, make it fast, or I'm going to make it for you." Or maybe he's saying, "If I don't like the decision you make, I'll make it for you." It's a short step from that to: "Don't bother me with the concerns of your community. I've got budgets to cut, I've got savings to find." That's the kind of thinking that dictatorship encourages, and dictatorship is what is developing here.

The minister continues to say he's doing what his partners, represented by the Ontario Hospital Association, asked him to do. He talks about all the things that they agreed were important and that they are doing—except that the minister went well beyond what was agreed to.

Now he says he's disappointed that the Ontario Hospital Association put out a critical press release without calling him—they didn't call him—after he brought out legislation that went far beyond what they had agreed to or knew was happening. He says he's not quite sure what the Ontario Hospital Association is trying to get at. He says, "We've simply done what they asked us to do."

That's not how the Ontario Hospital Association sees it, and they could not be clearer in their December 5 memo in which they raised serious concerns for the future of the hospitals in this province, where they say very clearly that the Minister of Health has gone far beyond any power that was necessary to bring about a restructuring, and where they urge that there be amendments that will result in legislation that will just allow for

reasoned and thoughtful decisions by government and which will prevent arbitrary actions that cannot be appealed.

I wonder what's so hard for the Minister of Health to understand in this. Once again the theory seems to be: "Don't tell the supposed partners what you're going to do. Ignore them and discredit them if they criticize what you've done." The term "partner" has never meant less than when this Minister of Health uses it.

The Minister of Health is also giving himself unilateral power to decide who can set up an independent health care facility. There will no longer be consultation before issuing a licence to private clinics to provide the services that our hospitals now provide. The minister can extend the Independent Health Care Facilities Act to cover facilities it does not currently cover, so they can take over providing the services that hospitals provide, since hospitals won't have the money to provide them. There is no longer even a requirement to give preference to Canadian-owned, non-profit facilities when those licences are issued.

The first steps this government takes, I predict, will be to open up medical diagnostic procedures to the private sector. Rather than provide the hospital with funds for an MRI, for example, they'll let the private sector do it. Then what? Does the hospital contract the service with the private sector at cost? Not likely, because that's not the way the private sector works. So does the hospital pay more for the service than it would have to if it had a budget for an MRI? That would make no sense at all. In any event, the hospital has no budget for an MRI, so who gets the service in this private facility that has the MRI? Only those who can pay for it.

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What comes next in this evolution of a two-tier, for-profit health care sector? How else does this minister propose finding his version of efficient and quick ways to take money out of the health care system? He's going to decide what is medically necessary, and if he decides that something is not medically necessary—or it may be the general manager of OHIP who decides what's not medically necessary, according to the way I read this Bill 26—they will not pay for that service, even if the service has already been provided.

That's highly significant. They will decide whether the service provided to the patient was medically necessary, and if they decide it wasn't necessary, even though the physician has provided the service, they will not pay for it. I suggest that this is the first proposal for retroactive delisting that we have ever heard of. I wonder how the Minister of Health becomes an expert in determining what health care a patient needs. How does the general manager of OHIP, sitting in Kingston, second-guess a physician's decision about what's in the best interests of his patient?

This minister's new powers go on and on, including being able to decide how many people become physicians and who will practise where. The Ontario Medical Association has described this as an unprecedented piece of legislation which will give the Minister of Health full control of the health care system. Never before has a



government or a single minister sought such extraordinary powers, powers which would give him or his officials the right to enter individual physicians' offices and seize their records, powers to allow bureaucrats to determine the necessity of many medical procedures and which drugs are to be administered, and allow for the arbitrary setting of thresholds and fee schedules by bureaucrats.

The issue of access to medical records which the Ontario Medical Association touches on has perhaps been the most shocking of the new powers being vested in this minister and his appointees. He has the power to appoint inspectors who will work only under the general manager of OHIP, not under the Medical Review Committee and the College of Physicians and Surgeons, as is now the case. They will have the power, these inspectors, to examine records of patients, doctors' charts, doctors' notes. They will have the power to remove that information for the purpose of copying it. They will have the power to disclose the information for reasons the minister deems in the public interest, and there will be no action for disclosure even if that disclosure is inappropriate. No action can be taken against the minister or the general manager or their staff or any other person or organization for disclosure. That is what this bill says.

The minister has said: "There's no problem with this. There's no new power here. We're not doing anything but looking at a physician's billings." That is simply not what the act says. This act gives access to the most confidential personal medical information—doctors' charts and notes—not just a doctor's billings, and there is no protection of the privacy of that individual, even from public disclosure.

The minister said in this House that the privacy act protects individuals, but that is not what the privacy commissioner said. His letter clearly showed that he was not consulted, that he is extremely concerned about new and unprecedented powers being given to the minister.

I was dismayed that the Premier in the House today appeared unwilling to recognize the legitimate concerns being raised by the privacy commissioner. I will not take time today to read into the record all the details of the letter which was provided by the privacy commissioner at his own volition because of his very deep concerns about this invasion of the privacy of every private citizen. I will simply read one part of his three-page letter, where he says: "Given the highly sensitive nature of the information involved, the lack of knowledge and control that exists for the person whose information it is and the vagueness of the purposes for which the information may be collected, I have real fears of the consequences that may follow."

The minister apparently has said that he will amend the act. The Premier today seemed a little less certain of that, but the minister has said he would amend the act if the privacy commissioner had concerns, and we're going to hope that this in fact is the case. Yet if we had believed that same minister's assurances that he offered to the public in this House last week and if the government had been able to push this bill through without debate, this unprecedented power to invade personal privacy would have become the law of this province.

It's hard to imagine anything that could have been more shocking to us than our finding out that the government was going to introduce copayments for those on the drug benefit plan, despite the promises of no new user fees. I guess that's the way this government's strategy of introducing Bill 26 did work, when it was introducing expenditure cuts and breaking its promises all over the place, because it made what is in Bill 26 even more shocking than the fact that the government had just broken one of its fundamental promises, not to cut health care, and another fundamental promise, not to introduce new user fees.

We saw, for weeks before the expenditure statement, the minister using weasel words to put conditions on a commitment that had seemed clear and unequivocal and unconditional when it was made. But, after all, if you've already broken your first and most important commitment—not to cut health care—I guess it doesn't matter if you break another promise.

I guess it doesn't matter if what you are doing, by introducing these user fees for health care, is telling those welfare folks who are trying to survive on tuna and dented tins of spaghetti that they're going to have to forget the tuna if one of their kids gets sick because they have to pay a user fee for their child's medication. And why worry about a senior who's so financially strapped that he qualifies for a guaranteed income supplement that he can't afford to get sick just because he happens to be getting old?

If you're a really well-off senior, you can afford to pay a lot more for your illness—an average of \$240 a year—unless you have some serious medical problems or multiple health problems. I should point out that a really well-off senior for this government makes \$16,000 a year or more. If you have serious medical problems and multiple health problems, you'll pay a lot more than \$240 a year, because those dispensing fees will start to add up.

Bill 26 will legalize this government's ability to break its promise and to save its \$250 million on the backs of the poor and the old, the disabled and the sick. The promise to protect seniors and the disabled has been broken so often it seems a little redundant even to mention it.

Ironically, as the government takes its pound of health care dollars from the seniors and the disabled and the welfare recipients, it may well find itself having to use those dollars it saved to pay for the increased cost of prescriptions under the drug plan. There's no guarantee that drug prices will not rise as a result of the deregulation. This bill, in one clause, deregulates the pricing of prescription drugs. There's no guarantee that the cost of prescription drugs is not going to go up—go up for the government and most certainly go up for everyone who is not on the drug plan.

The cost of prescription drugs could go up as much as 15%, and there is no guarantee that they will come down in the future. There is certainly no reassurance for people in the minister's statement. After Bill 26 becomes law, buying drugs will be rather like buying a used car, because who is in a position to bargain for cut-rate penicillin when you're sick? Who's going to feel comfortable accepting a cheaper substitute even if you can

find one? The important question is, who has asked any of the questions about what this will do to prescription drug prices and who will benefit from the government's decision to deregulate them?

It is one clause in Bill 26, one clause with a huge and far-reaching impact, and it is buried in schedule G of an omnibus bill. This restructures how we pay for health care, with no indication that there is a positive outcome for either government or individuals.

The Ontario Pharmacists' Association has tried to ask the questions, but the government doesn't want to hear from them. They certainly were not consulted. They, in their letter to this government, have urged the government to hear their concerns. They say:

"We need time to assess the changes and consult with our members and colleagues. We need to talk to seniors and others who will be directly impacted, so at least somebody can say, 'What will happen when this one clause of Bill 26 becomes law and deregulates our drug costs?'"

There have been so many broken promises, it's getting difficult to keep track of them all. I hear people getting increasingly frustrated by a government that says one thing and does another. They certainly don't want to trust that kind of government with dictatorial powers.

People remember another broken promise, the promise the Premier made that there would be stable funding for our hospitals and school boards and colleges and universities and municipalities. He defined stable funding as flat-lined funding; that was absolutely clear. Flat-lined funding means no cuts, and he said he wanted to do better than that. Yet in the financial statement, we have cuts of 10% to school boards in one year, 15% cuts in one year to colleges and universities, 44% over two years to the unconditional grants and road grants of municipalities.

1630

I think of classroom education, and I'll touch on it only briefly because classroom education is not hit in Bill 26, because the government said it was going to protect classroom education. So the Minister of Education, like the Minister of Health, talks of "administrative savings" to make up for the cuts they've just made. Like the Minister of Health, the Minister of Education is going to "restructure"; this government is all about restructuring. The Minister of Education is going to restructure school boards, whether local communities think it's a good idea or not. This restructuring is not in Bill 26 because it's going to happen later. The consultations that might have affected the decisions that minister makes have already been cancelled.

The Minister of Health and the Minister of Education both are going to take any dollars saved from administration away from the local school boards and the local hospitals. They're going to take those dollars to help fund the \$5-billion tax cut. Again I say, surely if this restructuring was to take place, if it makes sense in saving dollars, those saved dollars could have stayed at the local level.

Now boards that do not believe that raising taxes is reasonable are going to have to make some choices about cutting junior kindergarten or special education or adult

education. Because of this government's senseless determination to bring in its tax cuts, we are going to lose valued programs that parents and educators have fought over many years to put in place. I remember when Bette Stephenson, a former Conservative Minister of Education, brought in legislation to mandate special education. I think it's a shame that the present Conservative government refuses to place any value on the progressive programs that some of their predecessors put in place.

Post-secondary education is equally hard hit, despite the recognition by members of this government when they were still in opposition that that system was already underfunded. But the government has given universities and colleges a way of recovering some of their dollars through higher tuition fees. We can remind them that they said that paying 25% of tuition, of the cost of university, was reasonable for post-secondary students, and they're already paying 26%, so we could wonder what is a reasonable share to pay.

But the question today is, they can bring about a restructuring of what students pay for post-secondary education without its being in Bill 26. They can just do whatever they want on tuition. They can force the students of this province to pay a higher cost of their education. They can do that again in order to fund their tax break for the most well-to-do.

As this government pursues its restructuring agenda, I suggest to you that not only will the well-to-do get the largest tax break from this government—at least as they originally planned the tax cut—but they may also get a chance to send their children to an élite private university in Mike Harris's Ontario.

As they do with Bill 26, as they carry out their restructuring without consultation or meaningful debate, the government is likely to allow the introduction of private post-secondary education quietly and without notice or debate, because that's a logical next step in this government's restructuring process. Why debate changes to even the most long-held principles of our society?

We have never in this province accepted two-tiered health care or two-tiered education. We have believed in providing a high quality of post-secondary education to secondary students with as little restriction on access because of ability to pay as possible. We have never condoned a best system for the wealthy. We wanted a best system for all and we have been remarkably successful in achieving it.

Now that achievement is threatened with reduced quality and limited access and the beginnings for the first time of a two-tiered system with a partial deregulation of tuition. Again a restructuring, a major restructuring, and it flows from the expenditure cutbacks. It doesn't need to be backed up with a new tool in Bill 26, because this government can do whatever it wants to do with tuition and the licensing of private universities.

Then the meat cleaver came down again and it came down heavily on municipalities. Again the government leaves no real options. The municipalities have great flexibility all right, I say to the Minister of Municipal Affairs. They've got the flexibility to cut services or to raise taxes.



The government says that's the municipality's problem, it's their responsibility to make the decisions. The government's giving them what they have always wanted. The government's giving municipalities flexibility, the flexibility to provide all the services with less money or to charge new user fees, and Bill 26 provides a whole new field of opportunity to bring in new user fees at the municipal level. Some might argue that a new user fee is a new tax by another name, but as long as it's the municipalities that bring it in, this tax-fighting government doesn't seem to care.

I think people might be more than a little surprised that the flexibility being given to municipalities to levy new taxes, by any other name, includes the freedom to put a head tax in place, a direct charge for every person for services provided, whether you use the services or not. If you doubt that's what's in here—

**Hon Mr Leach:** Name one municipality. Name one.

**Mrs McLeod:** The Minister of Municipal Affairs says, "Name one." It's not law yet. Minister, you are proposing to give municipalities the ability to bring in a direct head tax. If you doubt it, I refer you to page 15, schedule M.

The Municipal Affairs minister is suggesting that there's not one municipality that now does this. That's because it's not law. I suggest there's not one municipality that will want to do this, because they'll remember the uproar that met Margaret Thatcher when she tried to bring in a head tax in Britain. But at least Margaret Thatcher would have had to get the approval of the British House of Commons. This government just says, "If you want to do it, go right ahead and do it."

I think municipalities might also be surprised to find out what this minister can do to them after Bill 26 is passed, and indeed what municipalities can do to each other in the name of restructuring. Here again it seems that if the minister thinks that, "You municipalities are not working hard enough to meet the government's demand that we get bigger in the name of getting better," guess what? "This government is going to step in and it can do your amalgamation for you."

I suggest to the Minister of Municipal Affairs that he might want to look back in historical records or consult with those of us who come from the community of Thunder Bay, because I remember the reaction to the forced amalgamation of the two communities, in fact of several communities that became the city of Thunder Bay. It was 25 years ago, and there are many who have never forgiven Darcy McKeough, a former Conservative Minister of Municipal Affairs, I suggest to the current minister, not for what was done but for the way in which it was done.

I say to the Minister of Municipal Affairs that he may find that lower tiers, smaller municipalities, might not like the way things are being done if the upper-tier regional government decides just to take over some of the services that the municipality now provides or to offload what the region now has responsibility for, because this is all part of Bill 26. That's what the bill says.

If the minister denies that is the case, then I ask him to sit in committee and explain this clause by clause, because it clearly says that in the name of restructuring,

upper-tier municipalities can take over services that lower-tier municipalities provide; that the Minister of Municipal Affairs can step in and amalgamate or allow larger municipalities to annex smaller municipalities, all in the name of restructuring. Municipalities don't even know what might be done to them.

I suggest this is not what municipalities wanted; I suggest it is not what the Premier talked about on the campaign trail. It is certainly not what he meant when he talked about municipal partnerships. Municipalities told us when we talked to them, as we all did, what they wanted.

They wanted more autonomy; they wanted less direction from Queen's Park; they wanted a clear definition of a partnership that works between the province and the municipality on shared-funding programs; they wanted an assurance that there would not be unilateral changes in that relationship without consultation. Instead the municipalities have been given unheard-of cuts, the flexibility only to raise new taxes and charge new user fees and the threat of having their jurisdictions taken away from them. That truly is a unique new definition of partnership.

I want to recognize the fact that children are not going to escape this government's restructuring efforts, far from it, although this particular restructuring is not the focus of Bill 26. I suspect the only reason that the restructuring of children's services is not in this bill, along with everything else, is because the government knew that people were watching for this one on that particular day. We have had clear evidence of how this government's cuts are going to hurt children in this province.

We have seen the cuts to children's aid societies, which can barely meet their legal mandate for child protection now. We have seen the cuts to child care, and we know that this government is looking at a massive restructuring of child care by introducing a voucher system. They offer it in the name of choice; it is in fact a way to limit government subsidies with no responsibility for ensuring that quality care is available.

1640

Here again, watch for this government to just bring the new system in, destroying what has taken years to build slowly, with no debate and no consultation, because we have seen it cut again and again. We've seen cuts to programs that provide counselling support to families struggling to survive, with no consultation. We've seen the elimination of programs to help battered women establish independent lives for themselves and for their children, with no consultation and not even an acknowledgement of the impact of what was done.

We hear the Minister of Community and Social Services saying that they are restructuring within their ministry, they are looking at redefining their mandate, they are looking at setting priorities because across-the-board cuts aren't the way to go. We agree, but surely, as they restructure and redefine, one of the priorities must be to keep a reasonable level of service for children and families in need. That is no longer there and cannot be there as a result of this government's cost cutting. It is the most vulnerable and the most needy and the most at risk who will pay the greatest price for this government's

tax cut to the well-to-do and for its determined dismissal of the concerns of any who are affected by its cuts.

There are no restructuring proposals in Bill 26 to deal with these concerns—I acknowledged that as I introduced the subject in the debate—because these are just cuts and the services are just gone, and the government has no intention of putting anything, even restructured, back in their place.

I'm one of the concerned. I'm concerned about the impact of this government's cuts. I am deeply concerned about the loss of services that are needed. I am distressed that we are seeing programs destroyed that took years to build and will be impossible to restore. I'm concerned that we are only seeing the beginning of what will be a massive restructuring of our social programs under this government.

I believe that this government has set us on a road to greater privatization of essential public services, like health care and education, because when you seriously underfund the public system, the pressures from those who can afford better, to give them an alternative, become enormous. When we start to get more privatization we will have a two-tiered system: one for the rich and one for the not-so-well-off.

Part of the social fabric of this province has been a commitment to provide the best in health care and education to everyone, regardless of ability to pay, and that social fabric is threatened by this government, all because it wants to find \$5 billion more for a tax cut that will benefit those who least need it.

There is a destructive sequence to all of this: Take money out of the public system, give that money to those who can afford to pay their own way in health care and education and let them use that tax break money not to invest or to spend but to buy the services that the public system can no longer afford to provide. I am convinced that this is the road this government is taking us down.

I am frustrated that this government cannot understand that the depth of their cuts will hurt our economic renewal by putting so many more people out of work. I am disturbed that they cannot even understand that there's a role for government in providing targeted support for economic investment, with a much more measurable and certain return than putting \$5 billion into an income tax cut.

The restructuring of our economic support programs can be carried out without any new powers or legislative changes at all. You just dissolve the programs that are there. You take \$230 million in grants and loans away from businesses. Yet if you read the backgrounder, you find that this includes the entire sector partnership fund that provides support to development in key economic sectors.

It includes cutting the entire green communities program that was leading to the development of environmental-based businesses. It includes the Ontario Development Corp, the Eastern Ontario Development Corp, the Northern Ontario Development Corp. This government, in its ideological haste, didn't even stop to look at the record of success of these programs in stimulating new businesses and creating new jobs.

Their economic restructuring strikes at our cultural industries with devastating cuts, and no one seemed to notice that these industries were our only job-creating industries during the five years of recession.

We will never get to debate these decisions, yet they will bring about a significant restructuring of our economy, not to mention a restructuring, if you can use the term, of people's lives.

I am angry that the commitments that were made during an election campaign can be so easily set aside by a government that claims that it has a mandate to do whatever it chooses to do and by a Premier who said he would resign if he broke his promises. He never said his resignation would only come after the public fires him for breach of faith, and that's what his cuts and his dictatorial budget bill are.

This is not what the government said it would do; it is not what the public expected this government would do. The reaction against it will not fade away, it will build. Neither the government nor its financial statement nor Bill 26 will wear well, but the province and its people will bear the pain.

I believe we will also pay the price for the undermining of democracy. In a democracy different views are allowed expression, criticism is heard even if it's not accepted, there is room for debate, and that's what democracy is founded on. Bill 26, in what it does and in the way it was introduced, kills democracy. Without a democracy, you truly are left with dictatorship.

As members of an opposition, we could not allow that to happen, because if there is no democracy in this place, we might as well pack up and go home. It is only as democratically elected representatives that we have a role, and if the government takes away our ability to present concerns and to debate essential matters, we can no longer function as effective representatives. So does anybody really need to ask why we feel so strongly about this?

It was not only the opposition that saw the erosion of democracy presented by this bill and the government's decision—determination—to ram it through without public hearings or even meaningful debate. I want to show that this is not just the opposition talking.

We have the Kingston Whig-Standard saying:

"Dictatorship by Premier Mike Harris's cabinet does not make common sense. Yet rule by cabinet decree, without public debate in the Legislature, is the disgraceful purpose of the Tories' Savings and Restructuring Act."

We have Jim Coyle of the Ottawa Citizen saying:

"This is a gross abuse of power. The democratic process does not begin and end with elections. June 8 did not give Mike Harris a mandate to pursue any means to reach his end. It's remarkable to think that scores of Conservative MPPs ran for office just to accede almost immediately to their own emasculation."

We even have Terence Corcoran of the Globe and Mail saying:

"On health care the Tories have plunged into the dark abyss of central planning. Call it the omnibus bill if you want, but it deserves to be known as the ominous bill. Bill 26 is a draconian power grab by the Health minister."



The Toronto Star editorial:

"Had Mike Harris's government shown even a modicum of respect for democracy and for the voters, it wouldn't have tried to ram through its huge omnibus bill that proposes to give the government extraordinary and utterly unnecessary new powers."

From the Ontario Teachers' Federation, who are not directly affected by the bill so perhaps aren't counted as a special-interest group in this case, "As teachers, we're concerned about the lesson this government is teaching our students about the exercise of power and disregard for the democratic process."

This government absolutely refused to consider any public hearings on this bill until the pressure started to build. Then what they offered was a total and complete sham: a week of public hearings before Christmas. And if the members opposite try and describe this as legitimate public hearings, I defy them to make that case. They offered, after the pressure started to build, a week of public hearings before Christmas, starting immediately, before anyone had a chance to analyse this bill and its impacts.

The Premier continued to say, even as this debate went on in this place, that opposition outrage over this bill was unwarranted. That's the Premier saying, "What is the opposition getting upset about?"

Mr Speaker, you know well that the opposition has few resources that can be used to delay a government determined to circumvent due process and exercise its power. We did indeed in this House last week use every means at our disposal.

Finally, when the Speaker of this assembly ceased recognizing our members, even to raise points of order, we had no legislative resources left. All we could do was to refuse to vote on a motion that would begin a debate that we could not participate in in good conscience in a meaningful way.

But, Mr Speaker, I say to you that we are duly elected members. We belong in the legislative chamber. We are elected to sit here. We want to participate, and so we stayed. If Mike Harris will not apologize for bringing forward this sweeping bill that gives his government unprecedented powers, if he will not acknowledge that trying to ram this through without public awareness or public hearings or even real public debate was an attempt to circumvent and erode the democratic process, no more will we apologize for doing the only thing we could do to slow him down so that we could let the public in.

1650

The member for Renfrew North suggested at one point that extraordinary measures call for extraordinary means. Because the emotional level of the debate, the level of frustration, was becoming rather intense, I think the members opposite, when the member for Renfrew North said, "Extraordinary measures call for extraordinary means," thought that perhaps he was calling for a counter-revolution. Well, I'll tell you quite frankly that we weren't sure at that point in time just what extraordinary means there might be.

Perhaps a counterrevolution is what last week became, in a rather unprecedented, unplanned and unexpected way. And perhaps a counterrevolution is what is to be expected, because history suggests that revolutions do indeed lead to dictatorships and then to counter-revolutions. But in this province and in this country, the only counterrevolutions will be ones which say no to the exercise of a majority in a tyrannical, abusive way.

Ultimately, the counterrevolution in Ontario will be carried out democratically through the ballot box. In the meantime, we have at least four short weeks in which to debate the future direction of this province. We look forward to that debate.

**Mr Bob Rae (York South):** I rise to speak in this debate and I do so with the full recognition that the critical issues are not going to be resolved today by my intervention but rather will depend, I think, on the government's response to a number of concerns which are raised in the course of the public hearings and in the course of the reconsideration of this bill, which I suspect will even animate some discussions within the Conservative Party caucus.

I found when I was Premier that some of the most animated discussions on a bill took place after members had had a chance to go back to their constituencies and hear comments, not so much from the opposition—after all, our comments can very quickly be discounted because of the fact that our opposition is to be expected to a government bill—but rather, I would suggest, the next six to seven weeks will tell the story, and that will be the extent to which this government is prepared to respond to what I suspect will be a very widespread and growing concern expressed by a number of people about the steps that are being taken in this measure.

I've had the opportunity to give, already, a couple of fairly lengthy interventions in the debates in this House, and I take this opportunity, first of all, since I suspect there may not come another one in the days ahead, to wish members the very best for the Christmas season, knowing that this will be a chance for them, many of whom in the House today are first-time members, to reflect on some of their political experiences as well as spend some time with their families, and also say that this Christmas period always brings with it a chance to listen to one's constituents.

I've found in my time in public life that you can usually get a pretty good feeling from just walking down the street and spending some time in the shopping malls and spending time in the constituency office over the next few weeks. I suspect that members will be hearing a great deal from different people about what's in the bill. You'll hear from a range of people. Some will be strongly in favour, advocating some parts of the bill. Others will have a direct interest, and they will no doubt be expressing concern about their direct interest. Of those people, the lobbyists of one kind and another, who are always very fast and very quick to gain time in your constituency offices, I think it's fair to say that those meetings are usually fairly predictable. They come with a brief that's been prepared by someone else, and those sorts of things are not necessarily very productive.

However, I think there's a broader range of concerns which I would ask members to reflect on just a bit as they listen to the concerns which constituents raise about this bill. I first of all want to say that we obviously deal with this bill in the context of the government's overall policy which was announced by the Minister of Finance two weeks ago.

I would say to the Minister of Finance that if we in our party had been re-elected, I have absolutely no doubt in saying that we would have had to cut. In fact, I know we'd have to cut, and we were very clear and very public with people in saying that's what we would have to do. I have no doubt at all, as I've said on a number of university campuses, in a number of hospitals, in meetings with teachers, that if we had been re-elected the meetings we were having would be very different because people would have been opposed to whatever it is we suggested needed to be done. It's very hard in our current political situation to expect people to stand up and cheer when their services are being affected.

However, the evidence will also show and the experience will show that the size and the depth and the severity of the cuts that have been proposed by the Minister of Finance are generated not so much by a preoccupation with the subject of the deficit as they are with needing to find the fiscal room to make space for this absurd tax cut promise which still bedevils the Conservative government. I believe that the tax cut promise is what lies behind the health care cuts, I believe the tax cut promise is what lies behind the severity and the depth of the cuts to social services and to welfare, and I believe that the tax cut promise lies behind the enormous cuts in transfers which were announced by the Minister of Finance the other day.

It's to be expected, I suppose, that the government would be defending these cuts and the announcement as entirely consistent with the Common Sense Revolution and the simple statement, "We were elected to do these things and that is why we are doing them." But I would suggest that such is not the case, that in fact the Harris government was elected because it promised that it would not do certain things. The Harris government was elected because they promised that the cuts that they intended to bring about and the redefinition and the reinvention of government which was at the root of what they were talking about was a process that would not affect the things that they knew most Ontarians cared most deeply about.

They said they would cut taxes, they would cut the size of government, they would cut regulations and they would make a dramatic change in the climate and culture of public policy. That is very clear and we know that, Mr Speaker. You and I know it and all of us know it because we were participating in this election the last time.

But we also know that the Premier promised that he would not cut health care spending because, to quote his words: "It's far too important. And frankly, as we all get older," he said, "we're going to need it more and more." He said that "health care spending will be guaranteed" and that they would be "aggressive about rooting out waste, abuse, health care fraud, mismanagement and duplication," but there was no reference to the fact that

transfers to hospitals would be cut by some 20% over three years, which is something we're just beginning to see and feel in terms of its impact. There was no reference to the conscription of medical services, no reference to user fees; in fact, quite the contrary.

The comments that were made by the Premier today were a direct contradiction of what he said before the election and during the election on the subject of user fees, when he promised people he would not be the Premier to introduce user fees; in fact, there would be no new user fees under the Conservative government.

1700

The first thing that I want to say, and I think the reason why there's such a sense of anger in the air—and we've seen it. We've seen the concern. We saw it today in the day of protest in London, when, for the first time in the province's recent history, not only the labour movement but the general population and social groups and church groups, all sorts of people, have become caught up in this sense of frustration and this sense of anger at a government that has taken away services, taken away their rights, broken its promises and made absolutely no attempt to listen or to learn or to say publicly: "Yes, we've broken our promises. Yes, I had said I would resign, but I'm not going to do any of these things, because I don't feel that I have to," or "I don't feel that I want to," or for whatever reason."

In the last 10 days, we've been in the throes of considerable debate and to and fro in this House, but it must be said: There is not a member opposite who was elected on a promise to cut health care. There is not a member opposite who was elected because he said or she said that they would cut transfers to hospitals by 20%.

Now, having said that, I was not personally surprised. Nothing this government has done so far has surprised me—nothing—because we predicted all the way through that this tax cut would end up producing the kinds of health care cuts that we described. I spent the last 10 days of the election campaign giving nine and 10 speeches a day and saying to my fellow Ontarians, "Wake up, folks; we're talking health care here; we're talking the services that matter to you," and Mike Harris said: "No, no. Bob Rae is fearmongering. The Premier is on his way out and he's fearmongering. He's raising fears." Nothing could be further from the truth. What we said was true, and what we are now having to deal with is a government that has completely broken its major promise with respect to health care.

Let me examine the ways in which there are elements to this legislation that I think any sensible person could support, because I think it's obligatory on us, even when emotions are running high, to say, "Yes, there are features of this bill that I would support."

I would support schedules A through E, because those strike me as being all part of the logic of governing and part of the logic of what needed to be done. Even, I would say, when it comes to schedule F, I would support the establishment of a Health Services Restructuring Commission. I think it's a logical next step with respect to the need to give the minister the best possible advice on restructuring.



But then when we find the next sections, the amendments to the Public Hospitals Act, which are set out around pages 48 and 49, that is where I part company with the government, and let me say why.

I'm fully aware of the view inside parts of the establishment, if I may put it that way, who have advised governments consistently that the answer to their problems is to increase the unilateral power of the Minister of Health and to accumulate within the ministry a far greater central authority.

I think to a degree there does need to be the capacity within the Ministry of Health to in fact manage the health care system overall. I've said on many occasions, when we took office and budgets were increasing by greater than inflation, in fact at 10% and 11% and 12%—and this was not a recent phenomenon; I could not ascribe this to the Peterson government; this was a feature of health care budgets from the time medicare was established—that medicare and the cost of the health care system were growing more rapidly than the economy itself. That is not sustainable, not a sustainable proposition for our society.

It was with that view in mind that I asked my colleague from Beaches-Woodbine to become the Minister of Health. I gave her the responsibility of getting the Ministry of Health budget under control, because we managed to socialize the insurance system with the introduction of medicare, but we had not managed to truly take responsibility for the overall costs and management of the system.

Going back, this is not a new observation. I think it's fair to say that both the Davis and Peterson governments recognized the problem, tried to do something about it and sometimes did, but the public response was always very, very strong.

We know, for example, that within every community there's tremendous support for the local hospital, and it didn't take very much for the local board and the others to simply blame the bureaucracy at Queen's Park and say: "We need more money. Let's organize some pressure for a new machine. Let's pressure for some new capital expenditure." I can say, from my time in office, that it's a lot more fun to open the wing of a hospital than it is to shut one down. I think that's a simple observation of political life that members opposite may learn over time.

The public likes to see things being built; they like seeing things to be constructively done with their tax dollars; they like the sense that things are improving. I see my colleague from Oakville is listening very patiently to what I have to say. During our term in office, we completed the complete reconstruction of the hospital in Oakville, and I was very proud of the fact that we were able to do that. It was an expensive operation. We spent some money, the local community spent money, and we did it.

My concern is that I think the pendulum is about to swing too far. That is to say, if the Minister of Health were to come to me and say, "I need the authority to actually shut hospitals down," my response would be: "If you're going to assume that kind of power, Minister, or if the government is going to assume that kind of explicit power, we'd better set out some very clear criteria and

we'd better establish some very clear safeguards so that everybody in the system knows it's a fair process."

I happen to believe that as a result of the restructuring that's under way, hospitals will close in the province. I have no doubt about that. I have no doubt that if my colleague from Thunder Bay had been elected Premier, she would have faced the same situation and she would have had to make the same decisions. I have no doubt that if I had been elected, that would have to have been done as well.

But I want to be very clear with anyone who's listening—and as I say, the future of this bill does not depend on me; it depends on the people of the province and whether we're able to get to everyone in an attempt to deal with this issue. I guess I would address my remarks to my colleagues who are listening from the opposition benches and say that I think you probably would like to have some way of ensuring that the Minister of Health has to listen to you and to your hospital board when they get the news that they're about to be shut down. I would suspect that's in your interests as much as it's in mine and as much as it's in the interests of the province of Ontario generally.

One of the things I always find ironic about public life is that right now we're at a stage when all three parties have been in government. All three parties are agreed that the deficit needs to be brought under control. But where do we differ?

We differ over the tax cut, because I really think that's a wrongheaded move at the present time, though nobody would be happier than I would be if I felt that within two or three years we could afford to give a tax cut. That would be great; I think we'd all like to do that. That would be a wonderful thing to be able to do.

But I just don't think it's wise at the moment; I think it's very unwise, and I said that throughout the election campaign, not because I like high taxes or because I think high taxes are wonderful, but because I don't think we can deprive ourselves of the revenue stream that quickly because of the impact it's going to have on funding for hospitals.

1710

Given that fact, let's pretend that we're actually legislating here, and let's pretend that we have a process by which the government will actually have to listen to what it is that we feel as legislators. They're not going to say this now, but I suspect a few more will start to say it in a few weeks and months. I would suspect that there are Conservative members who are increasingly frustrated by the fact that there's a small gang of folks in the cabinet who really run everything, that they have a lot of aides and political people around them who occasionally return phone calls and more often don't, and that that's a reality that one has to contend with.

This government is more centrally driven than any government I can recall seeing in office, whether it was mine or anyone else's. People used to accuse my government of being very heavily driven out of the Premier's office, but would that it were so. It was a little less like that, from my vantage point. I don't recall too many cabinet meetings exactly like that.

What am I suggesting? My first suggestion is this: that if you're going to try to coordinate the restructuring of hospitals and the restructuring of the delivery of health care, you'd better be very careful to make sure that there are processes in place whereby affected communities and hospitals have somewhere to go and that all this power is not accumulated in the hands of a minister. I don't think it belongs in the hands of a minister. I don't even think the minister should be the one who makes the decision as to which hospitals will live and which will die.

I agree that there needs to be some process and there needs to be a central place where it happens, but fundamentally I believe one ought to be looking at a process where there's an appeal, there's a discussion, there's an opportunity—and we could talk about how that could be drafted—and that the decision would be made ultimately by the restructuring commission perhaps in an advisory role to the minister. If people wanted to appeal that decision to the cabinet, then one would say, "Okay, there's a process under way which we understand is going to be fair and reasonable."

I believe this legislation accumulates in the hands of one person powers which are really quite extraordinary and which all of us would really want to reflect on. I would say to the minister, were he here, that he may like to have all that power for the moment, but he's not going to particularly want to exercise it. It puts too much pressure on one person. It puts too much pressure on one office. It expects one person and one office to be the fount of too much authority and too much information and too much wisdom. No one person has it. Therefore, one should try to disperse it and share it as effectively as possible.

That is the opposite of what the government has done, and I just think it's unwise. I think it's politically unwise. I think it's bad policy. I think it's a bad law. I think it's badly drafted. I think it's absurd to give that much power to one single minister of the crown.

Perhaps the opportunity will come in the next few years, if this bill passes, when members opposite may themselves want to say, "My goodness, maybe we should have created a process whereby we had some right to appeal." You give that much power to one individual, and it will inevitably be abused.

So it's at the beginning of schedule F that I part company with the government. As well, of course, as I've tried to describe, I part company with the overall fiscal policy which lies in part behind the powers which they have accrued to themselves.

We then turn to what I see as perhaps another part of the Conservative agenda, and this is where we again part company. We agree on the need for restructuring. We agree on the need for greater efficiency in health care. We agree that one of the consequences of that is that there will be different facilities to do different things and that in some instances some facilities will close. But I then come to the amendments to the Independent Health Facilities Act, and what I see there is another part of the Conservative agenda which gives me a great deal of concern.

It's been established public policy in this province for a number of years that, given the demands which will come from business and the pressures which will arise from the business community, particularly from the American business community, to commercialize health care and to commercialize health facilities, we reached an agreement during the last years of the Peterson government that we would try to regulate that to some extent. That was the reason the government brought in the Independent Health Facilities Act.

The purpose of that act was to try to establish some kind of control over the incredible prospect of the commercialization of our health care system. In several amendments to this act contained in part IV of schedule F, I see the prospect that we will no longer be able to resist the wave of commercialization, the wave of privatization, which will accompany these amendments.

I had an opportunity in question period to ask the Premier some questions, and to be perfectly honest, he did not appear to be too familiar with the bill or with any of its particular details. I'm sure he's very busy and hasn't had an opportunity to really absorb it yet, and certainly I'm glad we've given him the opportunity to absorb it in the next several weeks.

It's interesting. I asked him some questions on the Scott report. Mr Graham Scott is a Conservative, a Progressive Conservative, who worked for Mr Stanfield and was then the Deputy Minister of Health in the Davis government and was then appointed by Ruth Grier, the former Minister of Health in our government, to bring out a report. He was a fact-finder on the issue of Small/Rural Hospital Emergency Department Physician Service. At the back of his report, page 43, there's the heading, "Other Issues Raised." He talks about nurse practitioners and midwives, and then he writes about commercial walk-in clinics.

"The commercial walk-in clinics were singled out by almost every group that made oral submissions as a prime example of non-essential medical service delivery at a high cost. They were seen as: providing 'frill' medicine that increases the costs of the system disproportionate to the limited convenience they offer; adding to costly duplication within the system; encouraging bad consumer habits; and providing beneficial incomes based on providing services requiring little medical challenge.

"Their strength is consumer convenience, but it is provided at a high cost to other family practitioners performing more valuable services. In a period of limited resources such non-essential convenience medicine is an indefensible drain on medical resources."

I didn't write those words. I wish I had, but I didn't. They're written by Mr Scott, who again is not a supporter of mine, so far as I can tell. In fact, he was a member of the transition team that led to the introduction of the Conservative government.

With the amendments to the Independent Health Facilities Act—at least under the Liberal law we had the basic criterion that if there was to be a new facility, which would, by the way, go well beyond a commercial walk-in clinic; we're not talking about commercial walk-in clinics here, we're talking about independent facilities



independent from hospitals—we now have the clear statement of philosophy by the Conservative government that private sector, for-profit, American-owned clinics are welcome in the province of Ontario. For the last six years we have said very clearly, “No, we want not-for-profit facilities, we want Canadian-owned, not-for-profit facilities, and we do not want this to be driven by the demand for for-profit facilities.”

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It's clear to me what's going to happen. First of all, with respect to long-term care, I have no doubt at all that the same drive to commercialization is going to be given priority, no doubt at all; that you're going to see under this government a cave-in to the commercialized, private-sector lobby, which is going to overwhelmingly give concessions to friends, concessions to donators, concessions to contributors, concessions to people who finance it, and concessions to people who see that where you have a publicly insured system—a publicly insured system which subsidizes private profit at every step of the way is the most expensive, the least efficient health care system one could possibly devise, unless the insurance system says, “We are going to try to control and manage the costs and we're going to try to step in and do it in a productive way.”

I would say one only has to look at the experience in the United States, where you're going to find duplication, you're going to find huge inefficiencies, only the difference between us and the United States will be, all those duplications and inefficiencies will be subsidized by the taxpayer.

I just think it's so wrong, and yet it's very clear this is what this government is all about. It's not what they campaigned on, it's not what they said they would do, but it's very clear to me this is what is being specifically permitted by the bill, and I would argue it won't be very long before we see it being actually encouraged by the bill.

We then have the amendments to the drug legislation where, for the first time, seniors are being charged for drugs, and not only seniors but disabled people are being charged for drugs. The vast majority of seniors make somewhere between \$16,000 and \$35,000 or \$40,000, and those seniors will be paying \$2 for every time they go. They'll be paying the dispensing fee, which is somewhere between \$6 and \$6.50—it's about \$6.11—and they'll be paying that every time.

You can tell the seniors in your constituency that this isn't going to cost them simply \$2 a throw; it's going to cost them \$2 a throw plus \$6.11 a throw plus \$100 deductible. So you're looking at the prospect of seniors having to pay somewhere in the order of \$200 or \$300 or \$400 or \$500 for their medication every year, and the test of how much they pay will not be how much money they have; the test of how much they pay will be how sick they are and how much medication they require.

If you have someone who's in their 70s who's a diabetic, has a blood pressure problem and may need some other medication, well, the costs are really very, very substantial. The member opposite is shaking his head. The cost of—

**Mr Frank Klees (York-Mackenzie):** You've got it wrong there.

**Mr Rae:** No, I don't. I don't have it wrong. You tell me how I have it wrong when you get a chance to give a speech. The cost of blood pressure medication for two months—taking a pill a day—would be about \$100. So that's \$600 a year for that senior citizen.

When you look at the cost that's in place in many, many different parts of the legislation, the additional cost which is being suggested will be borne by seniors is new. This is not what the government campaigned on, it's not what they promised, and I don't think there are enough people out there who are aware of the potential this has for their own situation.

The Premier said today, you know, he's getting all the calls, and all the seniors who are writing him are keenly in favour of what's being done. I would suggest that—

**Mr Frank Mclash (Kenora):** Name names.

**Mr John Gerretsen (Kingston and The Islands):** Let's see some of those letters.

**Mr Rae:** I guess it depends where you live. I must confess that's not the nature of the calls that I've been getting in my constituency office or here at Queen's Park.

But I would also suggest that people don't even know about this yet, because it's all part of some huge omnibus bill and they don't really know what's in the whole thing. If there was one bill on drugs, I can assure you everyone would know and everyone would be focused. But this is very skilfully managed. You created so many issues out there that people aren't really sure of exactly what's coming next.

But I can tell you, folks, you don't know what's coming next either, because if you think the senior citizens of this province are going to stand up and cheer, or that disabled people are, then I think you're sadly mistaken.

The amendments to the Public Service Pension Act will quite simply take away some several hundreds of millions from people who are about to be retired and dismissed by the government. This is another example where the government sets laws for itself that are different from laws which would be the case for any private sector employer. If a private sector employer is selling part of its business and it has a union, the person buying the business has to accept the union as part of the deal: successor rights. The government says: “Well, that would be all right if we were in business, but no, in our case, when we privatize, nothing happens. You can't take the union rights with you.”

Similarly, if General Motors were about to announce a downsizing of 20,000 or 30,000 people and General Motors were to come to the government and say, “Oh, and by the way, we'd like you to pass an amendment to the Pension Benefits Act which makes us exempt from the act so we don't have to pay out so much to the people we're laying off, we don't have to pay so much in pension benefits to people who are taking early retirement,” I think there'd be quite a reaction.

But what's the government doing? Exactly that. They're saying: “We're going to pass a law that says the

law doesn't apply to us because we're the government. So we can lay off anybody we want and we don't have to be bound by the terms of the Public Service Pension Act." I find it quite extraordinary. I find it quite extraordinary that the government would do that and think there was nothing wrong or unusual about it.

Now we turn to the changes to the Municipal Act. These changes are very broad, very powerful in terms of their implementation, and what I find interesting about the government's approach to the municipalities—in fact, this is part of a broader point that I want to make.

There's an authoritarianism about this government which I find quite out of keeping with the sort of libertarian rhetoric which led to its election. The libertarian election campaign was: "We're going to help get the government off your back. We're going to free you from the shackles of government and bureaucracy. We're going to set you free. We're going to open up this province and get rid of all those socialist laws and all those old Liberal rules and all those bureaucratic things and we're going to set you free."

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You had doctors coming in and saying—I had a doctor running against me, Dr Edwards, a very nice man, very loyal Conservative Party member, a very strong supporter, and he kept saying, "This is a party that's going to free the province up from all these rules and all these regulations that are in place, all these socialist rules and regulations."

**Ms Frances Lankin (Beaches-Woodbine):** You're going to listen to your constituents.

**Mr Rae:** "And we're going to listen. It's going to be very different from that old, arrogant Bob Rae government. They just kept on doing it."

What I find fascinating about this document is, this is the most bureaucratic, authoritarian document one could possibly imagine. I'm telling you, no Fabian society in the world would've sat down and accrued more power to governments, whether they're provincial governments or whether they're municipal governments and said, "We're going to give you all this power."

The Ministry of Health has more power. The Minister of Health has power over health care records, such as have never had before. They have the power to conscript doctors. They have the power to tell a doctor, "In order to be a specialist you have to be associated with a hospital. When that hospital gets shut down, you no longer have privileges. If you no longer have privileges, you can no longer practise your profession." That's what the law says. If you're an orthopaedic surgeon attached to a hospital that is about to be closed, I wish you luck, because you're going to be out of a job, and you're not just going to be out of a job at that hospital; you're going to be out of a job, period. You're not going to be able to practise medicine unless you can attach yourself to another hospital.

That is what this law says. It says that that's the kind of conscriptive powers that are provided to the government of the day. It's quite incredible. One person has the power to tell the doctors this, has the power to do this to

doctors. In the province of Alberta last year all but two of the students graduating from the University of Alberta medical school went to the United States, and that's exactly what we're going to find here, because there's no way that young doctors are going to say, "Yes, this is great, this is the way to proceed."

*Interjections.*

**Mr Rae:** You can laugh opposite. Sure, laugh. It happens to be in the bill. It happens to be the meaning of the bill. It happens to be the direction that the bill will take.

Then we find the approach—and I'm sorry that he's left and I know he's a very busy man and it really is lonely at the top. The Minister of Municipal Affairs has left. What is it that they've done? They've given to the municipalities the power to do anything they want. They haven't given power to the citizen; no, no, they haven't given power to the citizen. They've given power to all these local bureaucracies, I say with due respect to my good friend the former mayor of Kingston, who's sitting to my right, and say, from my experience, municipal government can be every bit as petty, every bit as interventionist, every bit as interfering, every bit as capable of inventing bylaws and laws and ways of stopping people from doing business, intervening and preventing people from living their lives as any level of government, any level.

**Mr Gerretsen:** As this place.

**Mr Rae:** Yes, exactly, as this place is. They're no better than we are. They're no more possessed of any great source of wisdom. So what have we done? What does this legislation do? This legislation doesn't say, "Set the people free." No, no, no, no. It says, "Set the bureaucrats free."

Now, if you're a municipal bureaucrat, look at what you can do. Mel Lastman could scarcely contain himself. He came in here and he was almost overcome with joy. He says, "I'm going to tax anything that moves," almost with a kind of glee, and yet in the Common Sense Revolution, what were we told? What were we told in the Common Sense Revolution?

**Mr Douglas B. Ford (Etobicoke-Humber):** You got that from yours—

**Mr David S. Cooke (Windsor-Riverside):** He is a Tory. He is one of yours.

**Mr Rae:** Mel is one of yours. No, no. He's a good friend of mine, but he's one of yours. Trust me, trust me.

What were we told in the Common Sense Revolution? How many taxpayers are there? How many? One, not five, only one. What were we told? No new taxes. What were we told? A fee hike is a tax hike. How many times did Mike Harris stand in this place and say to me, "A fee hike is a tax hike." I can't count the number of times he said that.

**Mr Cooke:** "It's not a revenue problem."

**Mr Rae:** No, we don't have a revenue problem, but if there's a spending problem here, there's a spending problem at the municipality. Why would you give them the power to raise taxes every step of the way? Why would you give that power to the municipalities? If you



were really interested in helping the people, why would you set all those municipal bureaucrats on the backs of people able to stop them doing anything they want to do?

In the Common Sense Revolution, you said you would stop them. In the Common Sense Revolution, you promised us; you promised us. Come, come.

*Interjection.*

**Mr Rae:** No, no, no, member, listen carefully. You said you were going to make sure—it's all in here—that whatever you do in your transfers to municipalities—we all knew you were going to cut transfers. That's a no-brainer. Everybody knew that—inevitable. But we were told: "Don't worry, your taxes will not be raised. We're going to fight those municipal tax increases." Instead, what do we have? We have an act which sets the municipal bureaucrats free to invent any form of taxation they want and to impose any new fee.

Let's just read through this. No matter what the law says:

"Despite any other act, a municipality and a local board may pass bylaws imposing fees or charges on any class of persons, for services or activities, for costs, for the use of property.

"A bylaw under this section may provide for fees and charges that are in the nature of a direct tax, interest charges and penalties, the payment of collection costs, discounts and other benefits, fees and charges that vary on any basis, different classes of persons and deal with each class in a different way," blah, blah, blah.

It is unbelievable, the kinds of powers which are provided. It provides powers which are quite extraordinary.

It then goes on to say, on page 150—

**Mr Cooke:** Taxing power. "Any new tax, there has to be a referendum."

**Mr Rae:** Not just taxing power. And you no longer have to have a referendum for any local tax, just go ahead and do it.

Then it says it's not just the taxing power; it's the general licensing power. This has always been my favourite. The Tories say, "We're the party of the little guy." You're not the party of the little guy, you're the party of the municipal bureaucrat, the little rich guy, the municipal bureaucrat who wants to stop anybody from opening a business, who wants to shut something down, who wants to charge people for breathing the air, who wants to charge people every time you have a glass of water, who wants to charge people every time you move.

Without limiting, you have "the power to license, regulate and govern a business," including "the power to prohibit the carrying on of or engaging in the business without a licence; the power to grant or refuse to grant a licence; the power to fix the time for which the licence shall be in force"—licence, licence, licence, licence.

Finally, on page 153—and listen to this; this is my favourite section. The mayor of Kingston will enjoy this, because he'll know exactly how it's going to be interpreted. It says, "If there is a conflict between a provision in this part and a provision of any other section of this

act or any other act, the section that is less restrictive of a local municipality's power prevails."

You know what that means. We all know what that means: anything that grants the power. Just the same as the stuff about planning and the apartments: that any way a municipality, in its wisdom, wants to restrict the right of a homeowner to do with his or her property what he or she wants, that's good. I don't understand that. I thought you guys were in favour of property rights. You don't believe in property rights; you believe in property rights for a few folks. That's what you believe in. You don't believe in the rights of the individual. You're more concerned with the rights of the bureaucrat, whether it's the rights of the bureaucrat in the Ministry of Health or whether it's the rights of the bureaucracy at the municipal level.

Wherever that bureaucrat is, you're going to empower them to charge, to tax, to license, to gouge, to do whatever it is that's going to help you get out of your fiscal mess and the problem you're in, to help you pay for your stupid tax cut. That's exactly what's involved and that's exactly what this means. People are going to be charged every time they turn around. Every phone call they make to a municipality, every step they take, is now going to be charged: user fee, user fee, user fee, user fee, which is another nice, fancy word for a tax increase and a tax growth and for increasing the revenues of whoever wants to increase their revenues. That's what's so phoney about this revolution and that's what's so phoney about this law.

Finally—and I'm sorry my time is limited. I know others feel the same way. I say to this group, we're going to learn to love each other over the next while, we really are.

My other favourite clause is under the section dealing with savings and restructuring, schedule O, amendments to the Mining Act. I asked someone the other day, "What is this all about?" They said it's basically designed to take away the sense of security everybody had within the law that certain things were going to be done in a certain way, a certain assurance that businesses would have to comply with the cleanup provisions already in place in the Mining Act.

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I looked through it very carefully and read through the section over and over again, and I finally came up with my favourite section, almost my favourite one. I say with respect to the members who are heckling opposite, if you guys really care about the rule of law at all or the rights of the citizens, listen to this one.

"Despite anything in this act"—and I'd ask my colleague from Rainy River to be listening carefully—"where in the opinion of the minister special circumstances exist, the minister may exclude the time within which work upon a mining claim must be performed or reported, or both, or within which application and payment for lease may be made, and may by order fix the anniversary date or dates by which the next or any subsequent periods of work must be performed or reported, or both, or by which application and payment for lease may be made."

What does that mean? It means, basically, that the Minister of Natural Resources and Northern Development and Mines, the minister responsible for this legislation, can do whatever he likes, despite the law. He doesn't have to obey the law; the minister is now above the law. "Despite anything in this act, where in the opinion of the minister special circumstances exist" etc. Can you imagine the number of companies that are going to go down to the minister and say, "Special circumstances exist, Minister, and now we'd like you to respond"? Can you imagine the pressure this puts on an individual minister of the crown? "We think special circumstances permit. Give us a permit. Change the dates. Tell us we don't have to clean up by this date. Tell us we don't have to perform the work by this date. Delay it. Give us another week. Give us another month. Give us however long we need."

I find that this bill and the process by which the government has come to this point has been a fascinating object lesson in the changing dynamic of politics in this province. A government which pretended to be the great friend of the people, which pretended to be a genuinely

libertarian government, has instead become a surprising friend of authoritarianism and bureaucracy, in which power has accumulated in the hands of very few ministers, in which that power is to be exercised basically in any way, shape or form they see fit, and which, until the events of last week, was not really prepared to listen to what the people had to say and to give them a chance to express their legitimate concerns.

This is where I want to close. We don't expect the government to listen to what we have to say every day of the week. In fact, I've been around too long to expect that. But I would say to members opposite, you can shake your heads and laugh and you can giggle, you can do whatever you like, but at some point you're going to have to listen to your constituents and you're going to have to listen to the arguments. You're going to have to actually read the bill, take your time reading the bill and take your time to understand why this latest piece of authoritarianism has got to go. This bill is going to have to be amended dramatically, because as it stands, it can't stand, and it will not stand as it now has been proposed.

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**Monday 11 December 1995**

**Lundi 11 décembre 1995**



Speaker  
Honourable Allan K. McLean

Président  
L'honorable Allan K. McLean

Clerk  
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# LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 11 December 1995

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 11 décembre 1995

*Report continued from volume A.*

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### LOI DE 1995 SUR LES ÉCONOMIES ET LA RESTRUCTURATION

Continuation of debate on the motion for second reading of Bill 26, An Act to achieve Fiscal Savings and to promote Economic Prosperity through Public Sector Restructuring, Streamlining and Efficiency and to implement other aspects of the Government's Economic Agenda / Loi visant à réaliser des économies budgétaires et à favoriser la prospérité économique par la restructuration, la rationalisation et l'efficacité du secteur public et visant à mettre en oeuvre d'autres aspects du programme économique du gouvernement.

**Mrs Helen Johns (Huron):** I am pleased to rise today in support of Bill 26. There are many reasons to support this very important piece of legislation, and the facts are speaking for themselves. We have listened to two speakers talk about the stake and the importance in these bills. What I would like to say is: We spend \$1 million more per hour than we take in. That's \$1 million more than we receive in revenue every hour, every day, 24 hours a day, 365 days of the year. We spend \$9 billion a year on interest on our staggering debt; that is almost twice the amount we spend on OHIP and more than we spend on the more than 200 hospitals in Ontario.

In the last 10 years alone, government spending has doubled and the accumulated debt has almost tripled to \$100 billion. If you think about that statistic alone, you can understand why immediate action is necessary. Increasing spending increases this debt. You and I can't run our households with budgets like this. Why do the people think it's acceptable for the government to run its affairs in this manner?

We need to take measures to ensure that there is a future for my children and for their children and their children also. If we did absolutely nothing, if we kept spending at the levels reached by the previous two governments, and interest rates progressed at the rate they have over the last five years, by the year 2000 we would be spending \$20 billion per year on interest alone. That's more than the total health care budget. So it's safe to say that in a choice between spending \$17.4 billion on health care or spending \$20 billion on interest debt, Ontarians would obviously choose health care.

I would argue that Ontarians have chosen. We released our election platform a year ahead of our campaign so that people would have the chance to read it and to compare it to those of the other parties. We campaigned on a platform where we reduced spending and worked towards deficit control so that we can preserve the services that the people of Ontario want, and that has never been so true, especially in the health care field.

The health care reform provisions of Bill 26 are designed to provide efficiency and quality in health care and make the system sustainable and affordable for future generations of Ontarians. Our reform initiatives were based on five major principles: We had to restructure the system; we had to find the highest quality at the best possible price; we had to have a patient focus to health care; we wanted to implement accountability; and we wanted to ensure that the system was sustainable. We are committed to maintaining health care funding at \$17.4 billion, but implicit in this commitment is the need to make changes to the way we give health care to Ontarians, to the way we deliver the services.

Bill 26 facilitates the restructuring of the health care system by bolstering community hospital restructuring. It creates and empowers the Health Services Restructuring Commission to assist communities to find efficiencies in the way they deliver hospital services. Over 60 Ontario communities have engaged in hospital restructuring studies. These studies do not indicate how communities will actually implement their recommendations. The restructuring commission will do this and will make restructuring happen in these 60 communities throughout Ontario. Many of these communities have directly asked us to assist them so that they can reform their hospital structure and stretch out their health care dollars. It will also accelerate the pace of restructuring to ensure that changes to the hospital system occur in a planned and managed fashion.

In the past five years, 6,700 beds have been ripped out of the hospital system in a random fashion. Beds have been stripped away without the questions being asked and answered as to whether we can do with fewer facilities. In my area they have closed a number of beds, thereby making it such that five hospitals have 250 beds, an average of 50 beds per hospital; we have five administrations, five payrolls, five food services. We need to move on with restructuring.

Our Bill 26 reforms will drive services to need by setting aside previous binding agreements with physicians and encouraging, through the most generous incentive packages in the history of the province, physicians to practise in underserved areas. Living in rural Ontario, I believe there's a two-tier health care system, not in the way we've talked about in the past but in the people in Ontario who have doctors who can provide health services to them. In Toronto we have one doctor for 600 people. In my area we have one doctor for 1,200 people. Should we let that slide as the other two governments have? It's time to make the system more equitable.

Our Bill 26 reforms will maintain quality in our drug plan and expand coverage in a more humane manner to the working poor. We are asking that the drug plan



recipients share the cost to allow this to happen. Our Bill 26 reforms will ensure quality services are provided in uninsured facilities that the government previously had no control over. All of us want controls in the health care system.

This government is also concerned about the highest quality and the best price. I want you all to understand that I'm not talking about lowering the quality or the cheapest price; I'm talking about the best-quality service at the best possible price, something we should all be striving for in the health care system. In order to give the people of Ontario quality health care services in times of fiscal constraint, we must emphasize service and not ideology. We must emphasize the consumers' needs and not the providers'.

One of the overriding principles of this legislation is the notion that we need, indeed that we must provide, the highest quality of service for the best possible price. Our Bill 26 reforms to the Independent Health Facilities Act remove the bias that prevents commercial providers from competing with the not-for-profit sector in the provision of services.

By unshackling commercial providers, we are asking everyone to join with us in the quest to provide the best-quality service at the best affordable price. This bias was written into the legislation because the then Premier, David Peterson, was more interested in playing politics with health care and feuding with Brian Mulroney over free trade than in providing services to patients.

Our Bill 26 reforms enable us to control drug plan costs and allow patients and private drug insurance plans the flexibility to shop around for the best packaging, the best dispensing fees and the best prices for drugs. We believe that the market will drive down dispensing fees and drug costs—or people will put a value to them; they may believe that a high dispensing fee is what they want to pay as a result of the things that they obtain from their pharmacist.

The government believes health care must become patient-focused. The reforms made in Bill 26 will enable our government to continue to re-engineer the health care system away from administrative structures and force it towards a patient focus.

By revamping the Health Insurance Act and Health Care Accessibility Act, we are ensuring that all patients, regardless of what part of the province they are located in, have access to appropriate medical services when they are needed. Individuals who live in Marathon or Hornepayne have the same right to critical services as residents in my riding of Huron, as do the patients in Toronto, London or Hamilton. We deserve to have that for all Ontarians. It's not fair for someone in my riding to go for emergency health care services to the emergency wing in their hospital and find out it's closed. We have to do something about it.

The changes we're making to the drug plan widen coverage so that 140,000 working-class poor are not prevented from accessing prescription drugs. Some of the things that I find the saddest when I listen to stories about people and their families is when people can't afford to get drugs for their children, when they both

work, they both try very hard to maintain a life for their children, and their health is taken from them and they have no ability to afford it.

What we're doing here today in this Bill 26 is suggesting that 140,000 people who in the past could have been broken as a result of a serious health care problem have now the ability for it to be covered through the Trillium drug benefit plan. This is a big change and a good thing that's happening to the working-class people of Ontario. It should have happened years ago.

By asking all plan recipients to shoulder some of the costs, we are able to expand the number which our drug plans will cover. The previous government introduced cost-sharing, but the high deductibles written into the plan have deterred the working-class poor from accessing it. Our reforms will actually assist the working-class poor to pay for their drugs.

The Health Services Restructuring Commission will facilitate a province-wide, community-driven realignment of hospital services which focuses on the needs of the patient and not who provides the service and where the services are provided.

Reforms to the Independent Health Facilities Act will guarantee that patients receive appropriate, quality health services in facilities that deliver uninsured services.

The health care system must become accountable to the taxpayers and to the users. The reforms that we are proposing in Bill 26 will help make our health care system more accountable and ensure that taxpayers get the biggest bang for their health care dollar. These reforms will also aid us in tackling health care fraud.

Our drug plan reforms, for the first time, allow government to tie payments for drugs to medical conditions and to clinical criteria. It enables us to channel our resources towards maximizing health outcomes rather than having drugs prescribed whether they are needed or not.

Our drug reforms will also assist OHIP in clamping down on inappropriate prescribing. Every year hundreds of millions of dollars are squandered by seniors being hospitalized due to adverse drug reactions. The previous government did something towards this by setting up the computer network system. I give them full credit for that. But we have to go further. Our drug reforms will provide government with the means, which it currently lacks, to suspend the billing privileges of pharmacists and physicians who defraud the system.

Our reforms to the Health Insurance Act give governments more say in the rates of pay for the public health insurance plan. Currently the fee schedule for the Ontario public health insurance plan is controlled absolutely by the medical profession. Our reforms give the public more of a say in the rates and the reimbursements.

Everyone accepts that there is a significant amount of fraud in the health care system. Our reforms will combat fraud by giving the government, through health review committees, the means to recover inappropriate payments from providers and to do random inspections of facilities to ensure that public health dollars are accounted for. Our independent health facility reforms will ensure that the interests of patients are safeguarded, whether they receive care in a profit or a not-for-profit facility.

This government demands that the health care system becomes sustainable. The reforms we are contemplating in Bill 26 are ones that all governments, regardless of their political stripe, have at one time considered. We believe that in order to keep our health care system sustainable, we must make these changes today.

Our Public Hospitals Act reforms pave the way for the restructuring of hospital services that will maintain quality and enable us to achieve savings which we can turn around and plow right back into the health care system. Without first reforming this system to deliver services in a better way at a better price, we cannot reinvest in critical areas, such as measles immunization, dialysis, acquired brain injury, restructuring of many of the hospitals that needs to happen in the future. Bill 26 helps us facilitate long-lacking and badly needed system reform.

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Virtually every hospital CEO in Toronto has told us that restructuring has to happen in Metropolitan Toronto. I have heard the Leader of the Opposition and the leader of the third party say restructuring had to happen. They also feel that if it doesn't happen now, after the community has come together to recommend historic change, then it will never happen.

With the establishment of the Health Services Restructuring Commission, we are committed to making this happen. By failing to move on the reforms contained in Bill 26, the opportunity to realign hospital services to maintain quality, efficiency and affordability will be lost and the sustainability of our hospital system will be called into question.

Our drug plan reforms are a recognition that if we continue to have a plan that features the most up-to-date, innovative prescription drugs, we must change now and ask those who directly benefit from the plan to help us share in its costs. Without cost-sharing, we are facing the bleaker prospect of delisting drugs or not listing critical drugs that have tremendous health benefits. That's a choice we have had to make.

The changes we are making today will ensure that we have a quality drug plan for seniors—and this segment of the population is growing and continues to grow—for people on social assistance and for the working-class poor of today.

Our health insurance and Health Care Accessibility Act reforms will ensure that we have the right medical services in the right spot at the right time for all Ontarians, regardless of geography or their condition. Our reforms will give us budgetary predictability of medical services and allow us to better focus our resources towards the appropriateness of care and outcomes management.

The reforms we propose in Bill 26 are about placing the health care needs of the population above politics. The very fact that we need to make these changes today are because previous governments took the opposite view and let politics and interest groups hijack reforms which our health system desperately needs and needed. Our Bill 26 reform means that health care will be affordable,

sustainable and accessible for my children and their children, for the generations of Ontarians who follow us.

Some of the very important things we have to realize as we look at this bill are that we are trying very hard to effectively manage physicians' expenditures, we're trying to make everything effective, we're trying to put controls on it so we know how we're spending money, and we're trying to make a distribution of physicians throughout the province that makes sense.

Changes to the supply and distribution of physician services are being made not because we're the big bad government but because we need to ensure equitable local access across the province to appropriate medical services. It is imperative that the people of Huron county have the same services as the people do in Toronto and as the people do in northern Ontario.

We have to address the current imbalance in the physician distribution. Presently, when we have eight people coming out of medical school, seven go to overserviced areas and only one of those eight comes to an underserviced area in Ontario. We can't afford to let this happen any longer. There must be equality of care throughout all of Ontario. To get doctors to the approximately 65 or so communities around Ontario which desperately need them, we have to make some substantial changes in the way we have allowed physicians to move.

The OMA has asked us for time to look at this problem and to come up with interesting and innovative ideas on how we are going to maintain physicians in rural Ontario. We, being the government we are, have allowed them that time and asked them to try for something else. We don't want to push doctors by controlling their billing numbers if it's not absolutely necessary, but we are determined that there will be health care for everyone in Ontario.

We want to ensure equality of care for patients in a seamless health care system, so we can no longer afford to say, "Hey, I'll take a doctor from Toronto to rural Ontario for 30 days." We must have equality of service for everyone in the province, and we have to join most other provinces which have plans in place the same as we're talking about. There are four other provinces that have the same requirement for doctors to look at different alternatives about where they start their practice.

We have to make sure that improvements to utilization of physician services are made to provide the necessary tools to manage expenditures within a fixed budget. We must permit effective recovery and collection of payments made above the financial cap and we must allow for variations in payments by locations, specialties and other factors.

Strengthening payment control measures so that the ministry has better controls over nearly \$4 billion a year in payments to the fee-for-service system is absolutely mandatory. The people of Ontario demand it, and the physicians in many cases want to make sure fraudulent billings are reduced and that there is an increase in prevention of health problems within the community.

It's very important that we encourage physicians to practise where they are needed. Bill 26 allows us to do that.



It is important that we support hospitals and that we assist them with their hospital restructuring so we have hospitals in the future to meet the needs of Ontario.

It is also important that we help contain OHIP expenditures so we have greater flexibility to use the fee structure and to respond to the immediate health care needs the province has these days. We have to reduce inappropriate billings and increase recovery of payments for inappropriate billings.

I don't think any Ontarian has an objection to that. We want to increase accountability so that we know the money you and I are spending as taxpayers is being well utilized within the health care system.

That's what's in Bill 26, not the things these people have been talking about previously, not the fearmongering they have been talking about. We are looking for a better system to be able to provide all of us in Ontario with health care that is strong and will be there for future generations.

The government also proposes to amend the Public Health Act. The government has always controlled hospital funding, and this simply clarifies what has been done in practice under all previous governments. Our objective is to make the changes necessary to sustain our health care system in the future and for future generations.

This change to the legislation is necessary to allow us to keep our promise to focus resources on direct patient care and to better match resources with patient care needs. A simple kind of term and condition for funding that might be applied is, for example, how many transplants the hospital is expected to perform or how many cardiac surgeries, like at the Ontario health institute.

The minister shouldn't have to make a personal visit to the hospital to ensure that it matches the available resources to services that the hospital itself considers a priority. There is no intention with Bill 26 to micro-manage hospitals.

Under the NDP government, the steering committee reviewing the Public Hospitals Act recommended that the Minister of Health should be authorized to contract with individual hospitals and intermediate agencies to obtain specific outcomes. That is exactly what we're trying to do by setting up the restructuring committee.

The members of the opposition would like you to believe that the government has a hit list of hospitals in Ontario, that we have some secret agenda and know exactly which hospitals we're going to close. This is just not the case. There is no secret list.

**1810**

This restructuring process going on in the hospitals is driven by the communities and their needs. Communities, unlike some of the members in the opposition, realize that there are only so many health care dollars. Long-term care costs are increasing by 13% per year, yet we have taken nothing away from the hospitals. We have in effect closed 6,700 beds or 33 medium-sized hospitals, yet the lights are on, the hydro is on and we're still paying for it as taxpayers. They have left the system and the taxpayers to cope with the overhead costs of all this redundant brick and mortar. They never took the needed

steps to help hospitals restructure and become more efficient. They wasted taxpayer dollars.

There are restructuring studies and initiatives under way, 60 of them, that need to be looked at. District health council volunteers have been working long and hard to make very tough decisions and plan for hospitals and the best way to meet the needs of the community in the future. They have been sending their recommendations to the minister. Some of these community-driven restructuring studies have recommended that hospitals merge and close; these are community-driven recommendations to close. The district health councils are rightly proud of the work they have done.

The previous NDP government initiated these studies. Let me ask this question: If they implemented these studies, what did they intend to do with them if they weren't going to make sure that the planning process went to an implementation process? Are they telling us that they never intended to act upon, or to take seriously, the recommendations brought out from the communities? If that's the case, it's a waste of more health care dollars again.

Communities believed that their recommendations would be considered and that we would start to work on them. They have told us that there have been roadblocks and that they need some ability to move forward. They need to have implementation that is results-oriented and action-oriented, and they want to see the restructuring completed as quickly as possible. The restructuring commission's task will be to facilitate and accelerate the implementation of the restructuring plans developed in communities across the province.

The Ontario Hospital Association itself said in its news release after the economic statement, "The establishment of the Health Services Restructuring Commission must make it possible to accelerate implementation of many restructuring projects across Ontario." They agree we have to do it to be able to move forward in the implementation process. The OHA says that hospitals have long advocated restructuring as the key to long-term savings, specifically through rationalization of programs and services, including mergers, alliances and amalgamations of institutions.

Remember always that the objective is to make the changes necessary to sustain health care in Ontario. These changes to the legislation are necessary to allow us to keep our promise to focus resources on direct patient care and to better match resources to patient care needs. Why spend on unnecessary overhead such as bricks and mortar and administrative costs when we could be spending on patient care?

Lawyers tell us the draft of this legislation required that the Minister of Health obtain these authorities in order that they can be delegated, and we will delegate the authority to the restructuring commission. The people who wrote the Metro Toronto restructuring study, well respected in their field, recommended such a body to take the politics out of the implementation restructuring system. The Minister of Health will not be implementing or exercising these powers unilaterally.

Voluntary agreements work best and fastest, and that's ultimately what we would like to see. We'd like to see these restructuring projects community-driven.

Under the NDP, the steering committee reviewed the Public Health Act and recommended that the Public Health Act should authorize the minister, under specific conditions, to require formation of a joint venture or partnership, a federation with a new board of directors, or a merger of hospitals.

The previous government heard this advice that said there were circumstances where such an authority may be required to prepare hospitals for the future. Did they have the courage to act? No.

Using this authority will always be tested against "the public interest." Again, this terminology is not unknown to the previous administration, which received recommendations that the Public Hospitals Act should allow for the regulation of hospitals by the minister through a review of performance and intervention when necessary to protect the public interest.

There are some very good things about Bill 26 that the opposition has not bothered to dwell on.

Some examples of the tools requested and delivered include multi-year funding commitments. Hospitals have asked us for funding commitments that went out three years so they could strategically plan where they would be in three years. We have done that for them.

We have made a commitment to work with the sector on a fair and equitable process to implement funding reductions. We have given them guidelines for arbitrators to consider employers' ability to pay salaries and wage increases. We have disbanded the Workplace Health and Safety Agency. We have halted planning on the multi-service agencies.

We have introduced the health care consent act to streamline and simplify the consent-to-treatment legislation. We have provided the ability to establish crown foundations to make it easier for hospitals to solicit charitable donations. We have streamlined a process in dealing with the ministry on operating plans and capital projects, and we have given them our commitment to increase flexibility to generate revenue.

There are a number of people who, when asked about what we intend to do from the government perspective, have said some good things about what we are doing. The CEO of the Sunnybrook Health Science Centre said that we should get on with restructuring and do what we should have done years ago, that while hospital restructuring will occur fast, it can be done without hurting the patient. The CEO of another hospital said, "Hospitals are appreciative of the multi-year nature of today's funding announcement."

Hospitals have long advocated restructuring as the key to long-term savings, specifically through rationalization of programs and services, including mergers, alliances and amalgamation of institutions.

There has been a fair amount of fearmongering, I suppose, when we talk about the Ontario drug benefit plan, and I just want to comment for a few minutes about the ODB plan and what has happened to it with Bill 26.

The changes will bring fairness and long-overdue reform to our drug plan. There will be better coverage for the working poor of Ontario. First and foremost, we will improve the Trillium drug program, making it more sensitive to lower-income earners: 140,000 more Ontarians will receive help with their drug coverage because of our changes.

The Trillium drug plan was designed for people with high drug costs who either aren't part of a private plan or have exhausted their private plan coverage. The Trillium plan was one of those good ideas that came from the previous government. Under the plan, individuals kept track of their out-of-pocket drug costs. Once they hit a certain threshold or deductible, which is based on a percentage of their net family income, they could apply to receive assistance from the government.

But when the program started last year, the lowest net income used on the sliding scale was \$20,000 and the lowest possible deductible was set at \$500. How can someone on \$20,000 afford \$500? In other words, people with net family incomes of anything less than \$20,000 had to pay \$500 out of their own pocket before they could even apply for government assistance. Too many working people with incomes of less than \$20,000 and high drug costs simply had to pay their own costs because they couldn't find the deductible.

#### 1820

Our drug reform plan includes improvements to the Trillium plan which will make it more sensitive to low incomes and fairer to low-income earners. Specifically, the new lowest net income used to calculate the deductible will fall from \$20,000 to \$6,500. As a result, the lowest deductible will fall from \$500 to \$350, and 140,000 more working-class poor in Ontario will receive assistance with their high drug costs.

We are also introducing cost-sharing for 1.3 million seniors and 1.1 million social assistance recipients who are covered by the Ontario drug benefit plan. Seniors—and I want to correct this from what the honourable member of the third party said earlier—who earn less than \$16,000 and couples who earn less than \$24,000, along with all social assistance recipients, will pay \$2 per prescription that is filled. Seniors who earn more than these amounts will pay the first \$100 in prescription costs each year per person, and subsequently will pay the dispensing fees, up to a maximum of \$6.11 per prescription. Overall, 2.5 million Ontarians, or 20% of the population, will now receive assistance with their drug costs.

I heard the honourable member say a little while ago that seniors would be angered by this. I don't believe that. I believe that seniors want to have 140,000 people, who could be their children or their grandchildren, on a drug benefit program. I believe they will gladly share, because that's the way seniors are.

ODB spending has tripled in the past 10 years. Spending grew by an average of 16.4% annually from the early 1980s to 1993. We currently spend \$1.3 billion every year on our drug plan. After our reforms we will still be spending a generous amount on drug coverage and more people will have health care, but we need to act now to



keep the ODB program affordable and sustainable so we will have it for the next generation.

We have an aging population, so more people will be receiving assistance through the ODB in just a few short years. As well, both the number and the cost of new drug therapies are increasing daily. The changes we are making will prepare the program for more recipients in the future and will allow us to add newly developed drugs to the program as they become available.

The choices this government makes are sometimes very controversial, but they need to be made to ensure that health care is here for the future. I ran in the county of Huron because I believe we have to have health care available for my children. We are proactively moving towards maintaining our \$17.4 billion in health care by reallocating, re-engineering and restructuring the way health care is provided in Ontario.

We can be proactive and do this or we can wait for the debt holders to call in the loans. When they call in the loans they thereby stop all expenditures to the areas we hold sacred in Ontario: health care and education. The choices this government is making are tough choices, but they're important for our future. The people have given us a mandate, and we will not shrink under the pressure of a verbal minority who say we are trying to do something different than we are. We are maintaining health care for this generation, the next generation and my grandkids.

**Mr John Gerretsen (Kingston and The Islands):** The first thing I'd ask the last member who spoke is that if she wants to maintain the amount of money we currently spend on health care, why doesn't she recommend to her boss, the Minister of Health, that the \$1.5 billion being taken out of the system both through hospital cuts and drug user fees be at least set aside in a trust fund or a contingency fund so that the new restructuring she's talking about can be paid out of that? That's the first point I want to make.

The second point is that the member for Etobicoke-Humber earlier today chided one of our members on this side of the House, saying that this bill does not deal with finances, yet we've just heard from the last member who spoke a speech to the effect that this bill does deal with the financial statement and all the implications that come out of it.

I just refer to page 42 of the economic statement, which shows that the public debt of the province of Ontario is expected to rise, according to your own documentation, from \$97.2 billion, where it stands currently, to \$120.7 billion by the year 2000. I say to you once again, as I've said in this House on a number of occasions, if you really want to do something about the public debt in this province—and we all do—then forget about your silly tax cut. That's a good way to start. If you got rid of the tax cut and this promise you've got out there, you wouldn't have to be cutting as much as you're doing right now.

People should understand the amounts we're talking about here. With the huge user fees that will be coming in with what municipalities are going to do, and with the kinds of user fees you're talking about in the health care

system, with the kinds of user fees that undoubtedly you'll be talking about with school boards etc, all this money that allegedly is going back to the people in tax savings will be used up in other ways. The taxpayers out there will not be any better off than they are now except we'll have thousands more people unemployed and we'll have our system of education and health and municipalities under siege.

Let's just take a look at page 5 of the Common Sense Revolution. According to your own figures, a taxpayer with an income of \$25,000 will be saving \$425 in the first year, and somebody with \$50,000 of taxable income will save \$934 per year. At the end of three years they'll be saving double those amounts: \$850 for the \$25,000 income taxpayer and for \$50,000 it'll be \$1,767. With all the fees we've heard about in the last few days here, the potential user fees, the head tax that the Minister of Municipal Affairs and Housing admits now there may very well be, that municipalities may very well get involved in that etc, it doesn't take very long before all of this money has been used up.

I'd like to go back for a minute to what this process is all about. I too have heard some comments from people about the sit-in that took place here last week and the effect it has on democracy and on the ways we do things here. I will read a couple of interesting quotations, what people in the past have had to say about the rights of the minority and the democratic rights of people in a chamber like this.

1830

"If all mankind minus one were of one opinion, and only one person were of the contrary opinion, mankind would be no more justified in silencing that one person than he, if he had the power, would be justified in silencing mankind." The same author goes on to say, and I would like the backbenchers to especially listen to this quote, "He who knows only his own side of the case, knows little of that." Now just think about that for a moment. Another quote from that same writer is, "We can never be sure that the opinion which we are endeavouring to stifle is a false opinion; and if we were sure, stifling it would be an evil still."

Finally, and this is really what this chamber is all about: "Instead of the functioning of governing, for which it is radically unfit, the proper office of a representative assembly"—which is what we are here—"is to watch and control the government."

Those are some quotes from John Stuart Mill, who is certainly a well-known civil libertarian, and I think it would do us all well to remember some of these ideas and to contemplate them.

Another one goes as follows: "All too will bear in mind this sacred principle: that though the will of the majority is in all cases to prevail, that will to be rightful must be reasonable; that the minority possess their equal rights which equal law must protect, and to violate would be oppression." That's from Thomas Jefferson.

**Mr Rob Sampson (Mississauga West):** He's American.

**Mr Gerretsen:** Right; a well-known and well-thought-of American as well.

**Mr Sampson:** In some quarters.

**Mr Gerretsen:** In some quarters? In many quarters, my friend.

Finally, dealing with the whole notion of majority and minority, here are some interesting quotes: "When great changes occur in history, when great principles are involved, as a rule the majority is wrong."

Further: "Governments exist to protect the rights of minorities. The loved and the rich need no protection. They have many friends and few enemies."

Sam Rayburn, another American, said this: "When you get too big a majority you're immediately in trouble." We on this side can certainly concur with that.

Finally, a little ditty which goes as follows: "How a minority, reaching majority, seizing authority, hates a minority." That is so reminiscent of what's been going on here over the last three months, where just about every bill that is meaningful to this province has—

**Hon Chris Hodgson (Minister of Natural Resources, Northern Development and Mines):** How many have passed?

**Mr Gerretsen:** How many have been passed? But they've all been done by closure.

**Hon Mr Hodgson:** One.

**Mr Gerretsen:** That's right. That's one out of one that has been passed by way of closure, okay? When a minister says, "But we offered 360 hours of public hearings before Christmas," it doesn't take too long to figure out that there are about 168 hours in a week, and if you take two weeks, you get less than 360 hours. Yet the government wanted to pass this draconian bill, which changes the law in over 43 different acts, in a matter of two weeks. I don't know; some of those hours must have been doubled up somewhere along the time.

I realize that what the demonstration really was all about last week was to ensure that the minority opinion in this House will be heard as well and that people out there who may want to make representations with respect to this bill will have some time to respond to it. I'll be the first to admit that the three or four weeks you're talking about certainly isn't enough. Anybody who thinks it is, to deal with all the various issues that have been talked about in the House today and on other days and undoubtedly later on today, will realize that you are fundamentally changing the governing of this province in many different ways.

I realize that you think it's a good thing, but just remember those quotes I gave you a little bit earlier.

**Mr Frank Klees (York-Mackenzie):** On June 8, they wanted fundamental change.

**Mr Gerretsen:** That's right. The fundamental change you're making is the fact that you already took \$1.9 billion out of the Comsoc budget in July, another \$5.5 billion in this economic statement, for a total of about \$7 billion, and you want to give \$4 billion of it back by way of a tax cut. You tell me whether that makes any sense at all, since you're so concerned about the public debt of this province going up, as the last member has clearly indicated.

It doesn't make any sense. Admit to the people of Ontario how foolish you have been in promising this tax cut and just don't do it, and they'll forgive you. Then you wouldn't have to go through all the pain that the people of Ontario will be going through with the kinds of dramatic and drastic cuts that you're implementing at this time.

It's very interesting that even some of the financial people are saying: "The deep cuts will put a low ceiling on Ontario's growth prospects next year. While the promised tax cuts will cushion the blow, the spending restraint will shave 1.5% from the provincial output next year."

Let me just give you a little example of my own experience in the riding I'm from, where one out of every two people gets his or her funding from the public purse and the wider public sector. It's certainly an area of the province that is highly regarded and it is extremely well off by most people's standards.

Let me just tell you what you're doing there with the tax cuts that you're talking about in this particular piece of legislation. Over the next three years, \$100 million of public funding will be taken out of the economy in Kingston. Of that, \$75 million will be taken from hospitals, schools and municipalities, \$19 million has already been stripped away from families on welfare and further millions are being cut from provincial ministries and public agencies. It translates to cuts of \$16 million at Queen's University and over \$4 million at St Lawrence College, while school boards will lose \$10 million and local municipalities will lose at least \$6 million over the next two years.

Those are jobs—jobs of hardworking people. An estimate has been made by one particular economist on behalf of the Council of Ontario Universities that at Queen's University alone as many as 490 jobs may be lost on campus, and according to the indirect spending that will be involved—about another \$28.6 million—it could mean the loss of another 783 jobs.

I'm not saying that to scare people; I'm just saying that so you have some idea of what you're doing. My point is quite simply this: If you had not made the promise of this huge tax cut that you're talking about, the restructuring could have taken place at a much more even pace, as is happening within the federal government, and you would not be putting the jobs of as many people at risk throughout this province as you're doing right now.

**Mr Len Wood (Cochrane North):** I just want to get some comments on the record about Bill 26, the omnibus bill. In my opinion, the Conservative Mike Harris government is moving way too fast and too far, in a big rush to try to get their mean-spirited Common Sense Revolution of cutting jobs, cutting services that people depend on in order to give a tax break to those people who are well-off or in the upper-income bracket.

To those people who are out there listening to the debate that is going on and who heard of the action that had to be taken last week in order to get public hearings that will go past Christmas and into January, to the end of January, it is very hard to absorb. I've explained to some of the people in my riding that you have a bill that



was brought into the Legislature in a very sneaky way, when people were in the lockup.

It's 211 pages in length, and they've also supplied 2,225 pages of supporting documentation to justify why they think they need Bill 26, which is the omnibus bill, in order to cut as deep and as fast as they could to be able to—if you're going to cut \$6 billion, this is about the equivalent of a \$6-billion or \$7-billion tax break to the well-off people or the richer people in this province. It's not needed. It's going to hurt the people in a very serious way.

1840

I listened to the member for Huron earlier saying that the seniors are going to be happy. If they have to pay what the bill calls for under the drug section, seniors will have to pay \$100 each year for their medically necessary prescription drugs plus \$2 for a prescription and \$6.11 for a dispensing fee. For a senior person who has a regular need for prescription drugs, this probably could take as much as \$500 or \$600 out of their pocket.

I have not met any seniors in my riding or any other place that I've travelled in northern Ontario who are saying they're happy with what Mike Harris is saying he's going to do now. He didn't say it during the election campaign, because they would not have elected 82 members to this Legislature if he had gone out and said, "I'm going to add additional tax or a user fee on to all the seniors in this province, in addition to taking away food and money for shelter for women, disabled and children in this province."

Especially at a time when we're getting very close to the festive season, when everybody should be in a cheery mood and be able to help each other out, the most vulnerable people in our society are finding out that they don't have enough to go around, and then in addition to that, we see the further cuts that were brought out at the end of November.

I might say that they were brought out in a very sneaky way. While our members and the Liberal members were in the lockup, the Chair of Management Board decided that he was going to bring in the bill and sneak it through and say, "We're going to have some debate in the Legislature, but it's very important that the people in this province don't know what's in this bill," because if the people know what's in this bill, they're going to be hysterical when they find out everything that this Tory government is intending to do to them.

The intention was to have it railroaded or bullied or rammed through the Legislature and then the 82 Tory members could disappear before Christmas and not have to come back to the Legislature before next spring and say: "Well, it's done. We did it. We rammed it through the Legislature. Now, with all the savings we got out of the cuts and slash-and-burn and taking the chainsaw to all the different ministries and the front-line service that people expect in this province, we're going to turn around and give you a tax break in next year's budget after the throne speech, and everything will go away."

I want to tell you that it will not go away. There is just too much damage being done to the province with the slash-and-burn tactics that are being introduced in Bill 26.

I'm happy to see that the Minister of Mines is here tonight, because 28 amendments being brought in under the Mining Act are going to eliminate a lot of the environmental controls where mining companies had to have a plan, they had to put a deposit down so that if they polluted our natural, lovely northern Ontario, they would have to clean it up.

I might point out that there was no public consultation on this whatsoever, from what I can understand. There was a teleconference made by the minister saying, "This is what we're going to do and we'll issue our press release," back on October 24. Now we find out that nobody needs a permit to build a dam or block the waterways in this province. They can just go ahead and do whatever they want and they're given a free hand from the Minister of Natural Resources.

I see some people over there shaking their heads; I can hear the noise going on. But the province will be left holding the cleanup bill because there are amendments that are being brought in. We all know that most companies are honest and open and sincere, but there are fly-by-night companies that are going to leave a very expensive bill for the other taxpayers in this province to clear up.

Imagine: Before Bill 26 was introduced, people had to get a permit if they wanted to build a dam on a river to produce power. Now the doors are being opened wide, saying, "You can do whatever you want." I guess this is the red tape they're talking about. But the taxpayers in this province are not happy with the type of amendments being brought into the Mining Act by the Ministry of Natural Resources. I live in northern Ontario and I'm well aware of what the people are talking about.

In addition to what this Tory government did under Bill 7, which was to legalize the use of scabs and strikebreakers, which had been outlawed in this province for a number of years, they have brought in amendments under schedule Q that are going to take away the rights of people under arbitrations acts. I think it's very bad news for teachers, police, firefighters and hospital workers.

The more we look at Bill 26, and the more we analyse what is in it, it's quite clear to us why Mike Harris and the Tory government in Ontario would want to bully this bill through the Legislature and have it become law before Christmas. Now people are going to have a chance to read it and study it. Some people are going over to the government bookstore, picking it up at \$18.20 a copy and analysing it. They're reading through it and they have till January 29 to be able to bring forward amendments and make sure the bill does not destroy the way things are done in Ontario and destroy all the legislation that was good for people.

We look at what is happening in northern Ontario. I attended a couple of functions on the weekend. One of the reeves from the municipality was saying to me, "Sure, it's okay for the Tories to bring in a bill saying that I can have user fees for arenas and for libraries, but how am I going to charge a \$2 or a \$3 user fee for an outdoor skating rink?" We are very much limited in northern Ontario as to what extra fees or services can be done.

I know in question period this afternoon, when our leader was questioning the Premier, and prior to that it was the Minister of Municipal Affairs and Housing, he seemed to be happy with the idea that you put on a head tax like Margaret Thatcher tried to do in England, that this would be all right.

If you've got a man and a woman and five or six kids or more and if they're above a certain age, if you don't want to raise the property taxes or the school taxes, this legislation would give the right to the municipalities to put a head tax on. You could go in and slap on \$500, \$600, \$700, \$800, depending on how many people were in the house, with a head tax, and this would be a way of raising the money.

In the campaign that was held this summer and resulted in the Conservatives electing 82 members, this was not what was promised, especially in my area anyway. The commitments were out there: Health care will not be touched. There will be not one penny taken out of health care. Classroom education will not be touched. Now we find out that they're slashing health care, that they're taking over \$1 billion out, that they're slashing 50% cuts in the unconditional grants and grants to municipalities, that classroom education is going to be affected. Everything that they said during the campaign was sacred is now, we find out, being attacked.

1850

In northern Ontario, 20 years ago it was decided by the Conservative government that the small communities had suffered enough from one airline after another coming in and trying to deliver a service to the small communities in northern Ontario. It was decided at that time that there had to be a dependable airline service there, and norOntair was established and they've been doing a fantastic job.

We know it's not profitable because 20 years ago it was realized that it was not profitable. It's not profitable to run airlines in northern Ontario, into the small communities, it's not profitable to run trains into the small communities, and it's not profitable to run buses into the small communities. But now the three services that the Ontario Northland delivers are being attacked. In July you get \$1 million cut out of subsidizing for the airline, and now we find out there's another \$10 million that's being cut out of Ontario Northland.

Communities like Kapuskasing, Hearst, Timmins, Sault Ste Marie, all these communities that depend on the connecting airline service to get them from point A to point B, are going to be destroyed by the government in announcement after announcement that is coming out. The Ontario Northland train is going to be at risk once the subsidies are cut off. People ask me, "Well, why are they doing that?" I said: "It's just that they don't care. They don't care about northern Ontario. They just decide that they're going to take away everything that we got used to having and enjoyed having."

Then they have the nerve to say, why don't we form one caucus for all of northern Ontario? I guess it was Mike Harris's idea, because he was the only one who was elected close to northern Ontario. I don't call North Bay northern Ontario because I live over 300 miles away from

there. But he decided, "We're going to make one big happy family; we'll have the whole three caucuses, the Liberals, the Conservatives and the NDP, and then we'll have a caucus," because he only had a one-man show before that.

It's very similar to saying, "I'm going to burn down your house, and then we'll negotiate to see how long you can stay in that house." You burn, you destroy, you damage everything that you as a government can put your hands on, that we expect and deserve in northern Ontario, and then they say, "Why don't you meet?"

For those out there who are listening, these are the reasons we were pushed to the wall and we made the decision that, no, you're not going to destroy and take away everything and destroy the whole economy of northern Ontario, throw thousands and thousands of people out of work because the only thing that seems important to the Mike Harris government is, "We'll cut the budget and we'll cut the deficit; we'll pay off the debt." Human beings, the face of human beings, whether it be men, women, children, disabled, elderly people, it doesn't care, and it's quite obvious from what has been brought forward in the last number of weeks that there is no concern and no caring about what happens.

I talked about how they're going to try to shut down the Ontario Northland, how they're going to try to shut down the norOntair airline. In addition, they announced to the municipalities that have their own municipal airports, "You were getting \$30,000 or \$40,000 a year, helping you to maintain that airport in case an air ambulance has to come in to evacuate people and we have to get them out to the major centres for health care reasons." Now the announcement was: "No more subsidies. If you can't maintain those airports on your own, you'll just have to shut them down."

Where do the people go? You shut down the airline; you cut off the subsidy on the airports; they're going to have to close the airports. Emergencies do happen. We can't use helicopters for every particular occasion.

It's serious. There is a big concern with trying to ram through Bill 26, which is very cumbersome. It would take about two weeks to be able to read that when you take into consideration the other 2,225 pages that are accompanying that, and say, "Okay, now we have made all of the amendments and changes that are necessary." For the nerve of a government to try to ram this through in a few short days, it was very unrealistic and very bully tactic methods that were being used.

I do a lot of travelling throughout northern Ontario, and I might say southern Ontario because I have relatives who are in southern Ontario. Through northern Ontario imagine the shock of realizing that winter is coming, that winter is getting very close, and the same day that the severe storms are hitting northern Ontario, the Minister of Transportation announces: "I'm sorry, we can't afford to keep the roads safe in this province and we're going to park the snowplows, we're going to park the sanding trucks and the salt trucks, and we're going to lay off 125 seasonal workers, because keeping the roads free of snow and ice is not important to this Conservative government. The only thing that we care about, as a Conservative



government, is to raise enough dollars"—which could be \$5.5 billion, \$6 billion or \$7 billion in cutting, taking things away from the poor, taking it away from the women, the children, the food they need to make sure that they have healthy lives and become seniors, to cut and slash and burn everything that they can get their hands on, not only in northern Ontario but in a lot of cases southern Ontario, but I believe that northern Ontario is different in a sense because of the large expanse there as well as the small number of people.

It's very cruel and unthinkable that a government would put so many things and so many people at risk all in the name of trying to be able to give this \$6 billion, \$7 billion or \$8 billion in taxes back to the upper-income people, to people who are better off than most people in this province. It's really a severe attack on northern Ontario and the small communities in northern Ontario, just the 50% cut that is being talked about in the transfers and the unconditional grants and the conditional grants. For a town where I grew up, you're talking about a 10% increase in municipal taxes.

I can remember sitting across from Mike Harris when they had a small group of people in the Legislature from 1990 to 1995, and Mike Harris and a number of other people used to yell across, "There only is one taxpayer." I believe that. There is only one taxpayer in the province. But now the Conservative government, the Tories, the Tory bullies in Ontario are saying: "We're going to balance our budget. We're going to cut the deficit. We're going to give a tax break of \$7 billion or \$8 billion, and then you can go out and raise the taxes or put user fees or put a head tax on or do whatever you want."

**1900**

If people in northern Ontario don't have libraries, you can't charge library fees. If you don't have an indoor rink, how are you going to charge people for using an outdoor rink? Fees for ice service and most of those services are already considered to be high enough by the citizens, so you'll drive ordinary people away from these services by forcing the municipalities to either raise taxes 10% or 15% to compensate for the Tory cuts or raise the property taxes because there are no user fees, in most cases, that you can put on.

Look at the arbitration section being amended. Imagine going through the grievance procedure and getting to arbitration and then the arbitrator says, "I'm sorry, under the new legislation brought in under Bill 26 for public service employees, I can't make any ruling on that if it has any financial impact on the municipality." The changes say they have to have the financial means—I guess they're talking about money in the bank—to be able to settle these grievances, so the arbitrator is going to rule against the teachers, the nurses, the firemen, the policemen.

I've had policemen come into my office and ask: "Where do we stand? What's going on with the Tories in Queen's Park?" They only really started to become aware of Bill 26 when the media started talking about how Bill 7, the labour legislation, was rammed through the Legislature, and the employment equity legislation is going through a lot more quickly than a lot of people thought

it should, including myself. Now they find out that with Bill 26, the intent of a few people in the Tory caucus was to ram this through as quickly as possible and then they could disappear for a long, extended holiday, and let the people lick their wounds when they found out.

People are telling me right now, "We voted Tory because we wanted change, but we didn't think in the short six months they've been there that they were going to go outside the Common Sense Revolution and break their promise on health care, break their promise on funding to classroom education and on policing." It's not in the Common Sense Revolution, not in any of the editions, whether you go by the first, second, third, fourth, fifth or eighth edition. It's not in there. They're not saying they were going to lay off thousands of teachers in Ontario by cutting out junior kindergarten. I might point out that junior kindergarten has been around since 1944, and now all of a sudden you get 82 Tories who come in and say, "We want to turn back the clock 51 years and eliminate junior kindergarten in this province."

We've talked about labour legislation. It's being rolled back to 1930 or 1935.

**Mr Wayne Wettlaufer (Kitchener):** It is not.

**Mr Len Wood:** It is. The member's arguing that the labour legislation doesn't roll back the clock. It legalizes the use of scabs and replacement workers on the job, when people got shot and people died. The Conservatives have rolled back the clock to legislation that allows violence and for people to be killed on the picket line. It's unreal. Junior kindergarten was brought in in 1944, as I said before. It's unreal.

**Mrs Johns:** It's not really all right. We're \$100 billion in debt.

**Mr Len Wood:** I'm glad to see the member for Huron is back. I'd like to be in her office when the seniors start coming in and saying, "You did not say during the campaign that you were going to charge me \$600, \$700 or \$800 in user fees, new taxes."

**Mrs Johns:** My seniors will be happy to give a hand up.

**Mr Len Wood:** I would love to be there when she justifies, "Why did Mike Harris change his mind six months after?" Some people are even saying he might have lied during the campaign. I'm not saying that, but some people are saying that.

**Mr Gilles Bisson (Cochrane South):** But the member for Huron said her seniors are going to be happy to have user fees.

**Mr Len Wood:** She says they're going to be happy. Mike Harris said today that all the seniors he's talked to are going to be happy. The seniors haven't had a chance to read Bill 26. When they get a chance to read it and the 2,225 pages that go with it and find out about all the sneaky little pieces of legislation in there, they're going to be shocked. There are going to be Conservative cabinet ministers and backbenchers who go home for Christmas who, when they find out the people have read Bill 26, are going to have to go hide. They'll be ashamed of themselves, because they did not promise in the campaign that they were going to attack the people in the province the way they have done.

**Mr Joseph Spina (Brampton North):** Why do they keep slapping me on the shoulder, saying, "Keep up the good work"?

**Mr Len Wood:** It's kind of interesting that the seniors are telling him it's okay to charge them \$8 for a prescription. With their slash-and-burn attitude—

**Mr Spina:** You watch us go around with flaming swords, eh, Len?

**Mr Len Wood:** Some of the Conservatives, with the heckling from some of the members over there, they think it's funny when we get up and complain about an unsafe condition and that people are getting killed. We're saying you cut the money out, and please put the money back in, because people are being hurt in car accidents, they are being hospitalized and they are dying. Put the money back, hire back the people so we can have safe roads in northern Ontario.

**Mr Spina:** I drove through the north from Kenora to Fort Frances, and I didn't have one problem. Give it a rest.

**The Deputy Speaker (Mr Bert Johnson):** The member for Brampton North will come to order.

**Mr Len Wood:** We say that and then we get some Conservative members heckling and laughing.

I can see it's drawn some reaction from some of the Tory backbenchers; they're getting a little bit punchy. They know that when the people in this province read what's in Bill 26 and the supporting documentation that comes along with it and find out about all the user fees, all the attack on the children, the women, the poor, the seniors—it's like Grey Power, when the woman pointed her finger at Brian Mulroney and said, "You promised you would not touch my pension," on indexing, and they backed off on it.

I can see a number of these situations happening at Christmastime with the Conservative Tories, saying: "You promised you would not do that, during the campaign. Now you're taking money out of my pocket for health care, you're destroying the transportation industry in northern Ontario. Everything you've touched, you did not say you were going to do that during the campaign. You said, 'They're sacred; they will not be touched.'"

Now we find out that everything is going to be attacked. There's not a single person in Ontario who is not being attacked and being made to sacrifice something as a result of the legislation that's been brought in, and it doesn't have to be that way.

It is that way because some silly promises were made during the campaign. There was the silly promise that, "If we cut out \$7 billion in front-line services and people have to go without and do with a little bit less, then we can give \$7 billion in tax breaks to the upper-income people and the wealthy people in the budget in 1996, 1997 and 1998, and we'll still run a deficit of \$8 billion, \$10 billion or \$15 billion." The deficit is still going to be there. You're just taking it out of one pocket: from the poor, the people who are very unfortunate and don't have anything right now.

On the weekend, people were saying that it still seems to be the same thing you talked about during the cam-

paign, that the feeling of a Conservative government, if elected in the majority, is: "The poor have too much now and we're going to take a whole bunch away from them. The rich don't have enough. We're going to give it to the rich." This is exactly what is being played out now, exactly what we talked about during the election campaign.

Mike Harris did not promise these things during the campaign. He said he wouldn't touch most of the items he's talking about in Bill 26. I'm sure that even the Tory backbenchers, if and when they do decide to read Bill 26 and the documentation that comes along with it, will be shocked. We'll find out that all of a sudden there's a Tory caucus meeting here and that they're not happy with what's in there because they're being attacked by the citizens in this province who are saying: "You broke your promises to us, and after the next election you will not be here. You will not be elected again, because you campaigned on one thing and you broke it on another."

**1910**

I could go on and on and on for a long time, but I know some of my colleagues want to have a chance to put some comments on the record. I appreciate, even though I was fairly aggressive in some areas, that some of the Tory members listened. I'm sure that when we find out that the bill was put together wrong, that nobody had a clue what was going when it was put together—what about the thousand amendments that'll come in? You'll say, "We did it wrong, so we've got amendments," and then you're going to have to amend the amendments because it was just slapped together.

I've talked to some of the Tory backbenchers, had the discussion with them, and some of them are unhappy as well. But they have to go and tell their leader, tell their caucus chair, tell their whip. Coming and whining to me is not going to help. I could name the people here, but that's not going to solve it. You have a caucus process, and I wouldn't want to cause more dissension among the Tory caucus than what is going on right now.

I know for a fact that it is happening. They said: "We were not consulted about this. Nobody talked about it. It didn't come up in our caucus meeting. All of a sudden, Dave Johnson brought in a whole sack of papers and brought the bill into the House, and here we are. We don't know what's going on any more than the Liberals and NDP in opposition know."

We've had a chance to study it and we don't like what's in a lot of those sections. I've spoken about northern Ontario. I don't like to see the clock being turned back 40 or 50 years, because whoever is the next government—and it won't be a Conservative government; it'll be another party in government four years down the road—is going to have to rectify a lot of these things. The Conservatives might even have to change them before their mandate is up, because there's going to be a lot of anger, a lot of frustration out there. I feel sorry for the Tory backbenchers who are going home at Christmas-time and on into January and having to explain this during the public hearings.

With that, I think I will give my time to other people who want to make some comments.



**Hon Mr Hodgson:** It gives me great pleasure to be able to speak on Bill 26 this evening and to follow my colleague from Cochrane North in his comments.

Mr Speaker, as you and the people of Ontario are no doubt aware, under Bill 26 four specific sections deal with the ministries I have the honour of being minister for: Northern Development and Mines, and Natural Resources. In the Ministry of Northern Development and Mines, we have one substantial change to the Mining Act. In the Ministry of Natural Resources, we have changes to the conservation authorities, to the regulatory permitting, which affects three areas of regulation, and to the Game and Fish Act.

I'd like to go into that in some detail, but first of all, I'd like to put into perspective some of the speeches we've heard tonight. The voter watching this on TV might be confused about what we're talking about. Bill 26 is a result and a necessary tool stemming from our financial statement that was delivered by our Treasurer Wednesday before last.

The financial statement fulfils our commitment to the people of Ontario. The mandate we were given on June 8 was to deliver major change, major change from the direction this province had been going for the last 10 years, where our spending had doubled in 10 short years yet three times as many people needed welfare than 10 short years before.

Obviously, the Ontario public was ahead of the people at Queen's Park, the politicians, and recognized the need for major change in our society. They told us that at town hall meetings for the four years leading up to the election, and on June 8 they gave us a mandate to implement that.

Our Treasurer recognized in the July 21 economic statement that we couldn't sustain another deficit of more than \$10 billion, so he made an in-year reduction of \$1.9 billion, followed up by an economic statement this fall. The reason for the economic statement this fall was recognizing what the people of Ontario know: that 70% of the Ontario government's budget is spent on transfer partners—hospitals, school boards, universities, municipalities.

A lot of these transfer partners have different fiscal calendar years from the Ontario government. Their fiscal year runs on the calendar year. If they are to meet their reduced level of funding targets, they need to be given advance notice and the tools to meet that.

Major change is required from all levels of government, all partners. What we need to achieve is a refocusing of what government's priorities are and to do that well. Bill 26 gives us those tools, gives our partners those tools, to restructure government to make it so we can deliver our core services effectively and efficiently.

The opposition parties are committed to the status quo. They reject any change. They say, "There's no need to go so fast." When our province is spending \$1 million per hour more than it's taking in, when our debt is accumulating at \$1 million per hour, the question is, if not now, when? The member for Cochrane North would have us look at this and study it and wait six months before any

action was taken. In six months, at \$1 million an hour, we would have to cut deeper just to tread water. Then we could say, "We've done nothing," and the politicians from the opposition would go out and say: "See? All politicians are the same. They didn't do what they said they'd do. We're still facing higher debt, higher taxes, unemployment's still high." Our government was given a mandate to implement major change. That's what we're doing.

The member for Cochrane North used the example of the house on fire. I'd like to talk about it in terms of a household. If two people share a household, and one person works and the other person is paid by him to do necessary chores in the house but the mortgage keeps growing, eventually he can turn off the lights so long—like they did, nickel-and-dime everyone to death—and freeze in the cold, or he can get a growth plan that says: "We're going to turn this around. We're both going to go out and work, pay down the mortgage and use those dollars in future years so future generations can enjoy this house, so we don't lose it because of the mortgage payments."

They would rather have us turn out the lights and freeze in the dark with no hope and no opportunity, and if that doesn't work, start selling off some boards off the walls. The people of Ontario gave us a mandate not just to turn out the lights and shiver down and make do and share the burden, but also gave us a mandate to get our fiscal house in order and take the tough measures that are necessary now so we can have a plan of hope and opportunity and stimulate this economy.

In the spring election, the NDP went around and said: "We realize that we have a fiscal problem. We'll balance this budget in three years."

**Mr Bisson:** It was four, and it was the operating budget.

**Hon Mr Hodgson:** The operating budget, like if you pay the hydro bill but don't pay the mortgage. You still lose the house after a number of years.

The Liberals went around and said, "In four years we'll balance the budget and we'll give a \$2-billion tax increase," and they assumed 5% growth. We said to the Ontario people, "We recognize the need to balance the budget, but we also need to have a growth plan." We said we'll take five years to balance the budget and give a \$4-billion tax break to stimulate growth and economic prosperity in this province.

There's nothing they would like more than for us to back off on the growth side of our plan. Everyone recognizes that we need cuts, and their cuts would have been the same, roughly. But they don't want us to go ahead with the second part of our program, and that is the growth and hope and opportunity that will come from that.

Bill 26 is an integral part of our plan. It's necessary. If we're to restructure government to meet our fiscal objectives, we need the flexibility, we need new tools, we need the empowerment that Bill 26 gives to allow our partners to meet and be participants in this change in how government is organized.

1920

I found it interesting when the member for Cochrane North mentioned about the northern caucus this morning and how they wouldn't participate. I find that regrettable. I can assure you we had a fruitful discussion, and we will meet again in the spring. The NDP will be invited to that, and I hope they will partake in that, because I know the people who elected them want them to participate in making government work better for all Ontarians, particularly in the north, recognizing its special geography. It's a special place in terms of a large geographic area, a small, diverse population, and it needs a ministry that shows leadership and recognizes that sometimes made-in-Toronto solutions don't apply equally across the province.

That's why I was so distressed to hear members in the NDP, the member for Cochrane North, who suggested that the backbenchers should approach our Premier. I was distressed today in the House to see that none of the northern members from northern Ontario got up and questioned their leader's criticism of the health changes. Sure we need the power. We need the tools to make sure we can address the criteria.

I'm proud to say that for the first time in this province, we are going to address a growing problem in northern Ontario and rural Ontario, and that's the doctor shortage. For 20 years, for a generation, we've heard: "Don't worry about it. We'll deal with the OMA. They'll look after our problems in northern Ontario."

The first time a government comes out and recognizes that northern Ontario has special needs—there's the need for it, to make it so we have the tools to get physicians into northern Ontario—what do we hear from the northern members in the opposition? Not a word. Just criticism about the arbitrariness of attaching billing numbers, the arbitrariness of implementing the Scott report. They say: "Let's deal with the union. Let's deal with the OMA."

I'm hoping that we never have to use those powers, but it is a tool that, if we can't do it the traditional way, it will be done and fulfil our commitment to northern Ontario and to rural Ontario, where there is an extreme crisis in terms of attracting and retaining physicians to our communities to give basic levels of health care service.

Back to Bill 26 and in particular to the areas that concern my ministry, the MNR. We've introduced changes to the Conservation Authorities Act. This wasn't taken lightly. It was in light of the fact that we have a fiscal crisis in the province, that our spending is \$1 million an hour more than we take in. It's in light of the fact that we had to prioritize where these spending reductions would take place. Some tough choices had to be made, where people on social assistance have felt their disposable income drop, where hospitals are threatened. We had to make these tough decisions in light of this fiscal reality.

Conservation authorities funding has been reduced. This year it's presently at \$34 million, next fiscal year it'll be \$17 million, and after that it'll be \$10 million. Reflecting on the widespread consultation we've had on this, my parliamentary assistant, Frank Klees, has visited and consulted with all the conservation authorities in

Ontario. We've had numerous discussions with municipalities, with conservation authorities, with all stakeholders.

These decisions weren't made lightly. They were made with the recognition, which is consistent with our whole government's philosophy, that we must prioritize what is in the provincial interest, what are the key and essential services that the province should deliver, and then do those well. Our transfer partners—conservation authorities or municipalities—should concentrate on what are the local priorities, and we should give them the freedom and the flexibility to choose those priorities and then deliver those priorities efficiently and effectively and without raising local taxes in doing so.

We recognize that after 10 years of mismanagement, when income taxes were raised 65 times, not to mention all the user fees that they call taxes, non-revenue sources, Ontario is one of the highest-taxed jurisdictions in North America now and the public are at the tax wall. One only needs to look at the size and the growth of the underground economy to realize that raising taxes is no longer an option and never was a well-thought-out solution to our fixation with spending.

Recognizing that, we've had to make some changes to the Conservation Authorities Act to allow for accountability. We will focus on the provincial interest, which is flood control operations, which 50 years ago the conservation authorities were implemented to deliver. That is roughly around \$8 million, which will be matched by a levy formula with the municipalities. There's approximately \$2 million in provincially significant conservation land. The \$2 million is a tax rebate that will go directly to support those provincially significant lands to be managed in a sustainable fashion.

The changes allow for a floor to be put in on the levy. Conservation authorities will be 100% made up on their boards of local representatives; it'll be local autonomy. It gives conservation authorities a floor of \$8 million in the levy province-wide but it doesn't set the ceiling. Now that their boards will be made up of local appointees, they will have to have the support of the local councils to continue. I know that they will prioritize based on what's in the local interest and do that well.

I can assure you, from our discussions with conservation authorities, with their management, that they run efficient operations and that they have the support of their local communities on a number of worthwhile projects. I'm confident they will meet the challenge and succeed, probably through innovative ways that they never dreamed possible yesterday. But today they're thinking about it and tomorrow they'll implement it to make sure we meet the goal of environmental sustainability on a provincial level and on a local level, and that conservation authorities will be primarily focused on those local objectives.

I want to make sure that it's clear to the people of Ontario that this is not downloading. Downloading was when the province mandated a program to be carried out but didn't attach any dollars to it.

**Mr Bisson:** Did I hear you right? This is not downloading?



**Hon Mr Hodgson:** The member for Cochrane South says, "This is not downloading." What the NDP used to do was they wanted to have credit on a provincial level for some worthwhile motherhood program, force it on to the local property taxpayer to pay for it, and not attach any dollars in grants for it. What we're saying is, we're giving you the flexibility to choose whether you want to deliver it or not deliver it. If we're cutting your funding, we can't turn around and say that you must deliver this.

**Mr Bisson:** You cut municipal transfers by 45% and you have the gall to say that's not downloading. Jeez.

**Hon Mr Hodgson:** That's not downloading. Downloading is when you said, "We want to see you do this program," and then not attach any dollars to have it delivered. This is the opposite of that.

These changes reflect the need to rationalize the programs and services that the province delivers, and these changes will allow for local accountability and local priority-setting at the local level with our conservation partners.

CAs will no longer have to seek provincial approval for land dispositions where there's no provincial grant involved. Municipality payments to conservation authorities need not exceed the provincial grants, but there is a mechanism for municipalities to appeal the levy if it's still there.

There's also an amendment to the act to allow for amalgamations between conservation authorities or dissolutions of conservation authorities based on the same formula that they were incorporated under. It is essential that the number is two thirds. We know, from people like myself who have a municipal background, that two thirds on any issue shows that there's some work that needs to be done.

The second area that I'd like to talk about tonight is the changes to the crown land permits, and we've addressed some changes in regard to the Public Lands Act, the Forest Fires Prevention Act and the Lakes and Rivers Improvement Act.

Currently in MNR we issue 54,600 permits per year. What this act and these changes to this act will allow is for regulations to be developed to avoid a lot of the unnecessary permitting that takes place across the province. This will achieve two things: (1) It will save the government money, approximately \$3 million; (2) it will allow for a reduction in the red tape and regulations that have handcuffed businesses and individuals throughout the province.

We think it's achievable to try to get this number of permits down to 7,000 to 8,000, in that range. We will be looking at it over the winter months to see how we can meet the provincial standards through other means than permitting so that our objective is to manage our natural resources in a sustainable fashion. We think we can meet those objectives without permitting everyone to death.

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I see my colleague from Algoma-Manitoulin smiling. We spent five weeks on committees last year and I heard him talk about this numerous times. We have companies and individuals who have to produce 20-year work plans,

five-year work plans and annual work plans, and then when they want to do anything they have to wait for someone in MNR to drive sometimes up to 100 miles to inspect it. Then when they're done on the one-year plan we audit it, on the five-year plan we audit it, on the 20-year plan we audit it.

What we want to try to examine this winter is another mechanism than the individual permitting. We want to set the standards, audit and make sure it happens. Unfortunately, in our society we will also have to have enforcement, and I say enforcement, Mr Speaker. I think that's a positive thing. That's the fulfilment of another one of our commitments, to review regulations and red tape which have slowed down this province's economic growth and opportunity.

The third area I want to talk about in terms of Natural Resources is another fulfilment of a campaign promise, that is, changes to the Game and Fish Act to allow for hunting and fishing licence revenue to be retained in a special account and be accountable to this Legislature and to the people of Ontario.

Our Premier announced this in January 1995 in a document called A Voice for the North. The Premier outlines specific commitments to address key issues and problems facing the north and its citizens, and one of these commitments was that all revenues from hunting and fishing licences will be dedicated to resource management and conservation. This includes fines as well as royalties.

Anglers have been asking for this measure since the resident sports fishing licence was introduced in 1987. I know my Liberal friends will remember that because the promise at that time was: "Don't worry. Trust us. This is like a user fee. It will be dedicated back into the resource." Then the NDP came along and Bud Wildman told us that you couldn't do that; it always went to the consolidated revenue fund.

Today I'm proud to say that Premier Mike Harris is making good on another one of his promises, and that is that we will have by the passage of Bill 26 a dedicated fund for all fishing and hunting licence revenues, fines and royalties. They will be in a special account which will have carryover provisions.

This is essential for sustained management of our natural resources over the long term. Over the winter months, I will be consulting with a number of stakeholders and all members of the Ontario public on how best to administer this. This act calls for an advisory council to be set up, and we will be looking at ways to implement this program so it ensures wise and efficient use of these dollars to manage our resources in a sustainable fashion.

The fourth area I'd like to talk about tonight deals with my other ministry, the Ministry of Northern Development and Mines, and changes to the Mining Act. Recently, with I might add a lot of consultation with the mining advisory group and the mining industry and the prospecting industry, I announced changes to the Mining Act in Timmins, and I believe it was on October 24, 1995.

I see the member for Cochrane South diligently reading. I didn't realize at that time I was choosing such a hotbed of conservatism where they would say in a local editorial, "Ten years from now people will appreciate Eves's cuts and how they were long overdue." I don't know if the member for Cochrane South has read the local Timmins press, but I was pleased to see that common sense had made it to Timmins. I didn't realize that when I went there on the 24th to announce this change, but I was impressed with Timmins and with the reception I received there. I realize that truly this is a community that has common sense. It was a good impression.

The measures outlined in this change to the act are consistent with our agenda to cut down on the administrative costs, to streamline the regulatory burden on businesses and to eliminate direct subsidies and grants to businesses. This amendment will save the government approximately \$1.3 million but, more importantly, these proposed amendments will accomplish several goals:

(1) We will replace the present closure plan review process with a self-regulatory system.

**Mr James J. Bradley (St Catharines):** That ought to be great.

**Hon Mr Hodgson:** It will be.

Companies will be required to prepare closure plans in accordance with provincial standards certified by a professional engineer and to designate a financial officer from the company.

(2) We will increase the financial assurance options open to the company. Financially secure mining companies may be self-assured under the proposed amendments. Most companies will still be required to put up cash or its equivalent with the government for financial assurance.

The next goal is most important, with some of the hyperbole that's been going around:

(3) We will maintain high environmental standards. The focus will be on the polluter-pay principle.

(4) We will clarify the liability for pre-existing abandoned mine hazards.

(5) We will address the public health and safety concerns associated with abandoned mines and existing mine hazards. Changes will allow the province to respond more quickly and effectively to abandoned mine site emergencies. Amendments will allow immediate access to privately held lands to address emergencies.

(6) We will clarify the post-decommissioning environmental liability. Currently, there's no provision for a mining company to be discharged from future obligations after the mine site is decommissioned. Amendments will remove this source of uncertainty. The proposed amendments with respect to abandoned mines levels the playing field for leaseholders to obtain leases prior to the 1991 Mining Act amendments.

I think this is a positive move. It's been well received both inside and outside the mining industry. I think those who have taken the time to read the changes to the act are comfortable with the fact that this—

**Mr Bradley:** You have given the keys to the companies to do what they want environmentally. That is exactly what you have done.

**Hon Mr Hodgson:** I hear the member for St Catharines, and it earlier distressed me to hear the former Premier, the leader of the third party, talk about changes to this act without having read it. Judging by the Instant Hansard from earlier today, I can only assume that the member for St Catharines and the former Premier, who are together again in their criticism of progress, choose the status quo.

If he's read it, they're referring to section 18, which adds a section 67, that talks about the process of going from a claim to a lease. We are not talking about the closure, I remind the member for St Catharines or the member who is the leader of the third party. This section is talking about the process of going from a claim to a lease. It's a business decision.

Section 67 outlines a number of provisions which stop the clock ticking. There are four or five envisioned today. In the future, because it's an act and you can't change it, we've allowed for a provision that says, "Despite anything in this act, where in the opinion of the minister special circumstances exist..." and this is where they stop reading. They talk about unlimited power being granted to the minister and try to scare the public that mining companies have the keys to pollute the environment. Nothing could be further from the truth; nothing could be worse than to stir up public reaction on such an unfounded basis. They should continue to read: "...the minister may exclude the time within which work upon a mining claim must be performed or reported."

The other examples of exemptions deal with permitting. If the crown says you can't continue your work on the claim because you need a permit and it takes so long to get out there, it stops the clock from ticking, because you're only given, for example, one year to do this work or they lose the right of the claim. They have to make a business decision to go to a lease.

That is what the leader of the third party was ranting about earlier today. I'm only assuming that from reading the Instant Hansard. If that means, as the member for St Catharines said, that somehow we've turned over environmental management to the mining companies, I suggest they haven't read the act. I suggest they're trying to invent opposition to what is otherwise—building upon good amendments back in 1991, I might add, but just making it so it meets the reality of the 1990s and makes it better to do business, and also maintains the high environmental standards that Ontario insists upon having.

In conclusion, I think the message is clear. It's clear to the people of Ontario that your government is doing what it said it would do: clear distinctions between provincial and local priorities are being established; cutting red tape and the regulatory burden on taxpayers and companies who want to build a better province, while setting strict provincial standards; fulfilling our commitment to a voice for the north; establishing a dedicated revenue fund for fish and wildlife fees; amendments to the Mining Act to cut down on administrative costs; streamlining the regulatory burden on businesses; and eliminating direct subsidies and grants to business.

I want to thank you for the opportunity to address Bill 26. I think it's an important bill, necessary for the future of Ontario.



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**Mr Michael Gravelle (Port Arthur):** I'm pleased to rise today in the House to join my colleagues and the people of this province in examining the provisions and implications of a frightening piece of legislation which goes by the innocuous name of Bill 26.

I'm particularly happy to follow the Minister of Northern Development and Mines. If we needed an example of what is most scary about this bill, here we have a minister proudly telling us about three major changes in the natural resources area and changes to the Mining Act, and most people in the province probably didn't realize they were in this particular bill. If ever we needed an example of something that should be receiving public hearings on its own—I'm sure the minister would indeed like to have public hearings, but was probably told not to do so: "We've got to sneak it through this bill."

This bill is going to have a profound effect on this province in every way. The breadth of issues covered and the depth of the changes can only mean dramatic shifts in the way Ontario does business. I'm pleased we have some public hearings on the proposed legislation; it's an opportunity for the people of this province to reflect on the contents of this onerous and overreaching bill.

All parts of the province today are intently analysing various aspects of this restructuring bill, and of particular concern to everybody is the health care system. Bill 26 represents the taking of an unprecedented and inordinate amount of power over our hospitals, placed in the hands of the Health minister. He will have absolute power to close or amalgamate hospitals in northern Ontario and across the province. He will have authority over all aspects of hospital operations, including restructuring processes taking place in Thunder Bay and across the province. He'll have the ability to take over the operation of a hospital by appointing a hospital supervisor who will have all the powers of a hospital board.

Changes made to the Ontario drug benefit plan will result in user fees. They promised not to have any user fees. We now have user fees. This will affect some of the province's most vulnerable citizens, particularly our seniors, who have been calling me incessantly, very distressed about this change.

Dispensing fees will no longer be negotiated with the Ontario Pharmacists' Association but will be prescribed by the government. The amount charged for a drug will no longer be regulated. This deregulation will conceivably see medication costs increase at a time when the government is withdrawing its support, in so many ways, from people least able to pay.

Reforms in the health area concentrate bizarre amounts of power in the personage of the Minister of Health. Decisions regarding the future existence, operations and structures of hospitals are to be at the minister's discretion, not the health care professionals and our local communities, who often have a greater understanding of their needs.

In the broad spectrum that is Bill 26, the Health minister isn't the only one about to receive reinforced authority. In conjunction with a 44% cut to municipal

transfer payments, the Minister of Municipal Affairs will be given authority to implement municipal restructuring through orders in council as opposed to legislation—one more power grab by the elite few at this government's cabinet table.

The Premier responds to our concerns by telling us that they have given the municipalities the freedom to independently raise revenues to offset provincial reductions. What this really means is that they have forced municipalities into a position where their only recourse to recoup losses is in raising taxes, reducing services, cutting staff and implementing user fees. Terry Mundell of the Association of Municipalities of Ontario confirms this fear by publicly stating that some municipalities may have no choice but to raise municipal taxes.

Northern communities that have already assumed the responsibility for restructuring are put in the unenviable position of being forced to trim fat from an already lean organization. With upwards of \$65 million being ripped out of municipal transfer payments to northern Ontario communities over the next two years, the capacity of smaller centres to provide for themselves becomes increasingly difficult.

Bill 26 also contains provisional amendments to the Mining Act of Ontario, and the minister just spoke on them. While the industry itself is generally supportive of legislative changes which would move the mine site rehabilitation process into a self-regulatory framework and which would increase the number of financial assurance options they can exercise before the advent of a mine closure, I have some questions of this government over motivation and implementation.

The purposefulness of these changes to the mine site process is at odds, I believe, with the financial restructuring intent of this bill—unless, of course, this is simply one more example of this government's incessant desire to shed real government participation by shedding real government workers. Is this truly the action of a government committed to the environmental values intended by the implementation of the legislation back in 1991?

I have grave concerns, as do a number of environmental groups, that this government will have difficulty preserving the intent of the EPA with only a small staff complement. While Ontario is fortunate to have strong, environmentally committed corporate partners in the mining sector, what about those less committed to the environmental values upheld by the people of Ontario, and what of the mechanism that allows mining companies to begin operations prior to any ministry approval of their closure plans, as would be the outcome of this legislation?

There is more. I received a letter from members of the Canadian Bar Association, the natural resources section, cautioning against the speedy implementation of Mining Act changes as drafted. In their words, "Certain aspects of the proposed amendments will have a detrimental effect on mineral development in Ontario, especially northern Ontario."

I am pleased that this government has moved—with some encouragement, I am pleased to add, on our side—in the direction of public hearings. This will be an

important opportunity for all mining stakeholders to carefully study the ramifications of these changes.

But in summarizing my short response, I would say that any bill that encompasses 43 separate acts, repeals two acts and creates three new ones isn't a piece of proposed legislation; it's a full legislative agenda. This bill, when taken in conjunction with the impact of the economic statement, will produce a drastically different Ontario from the one we currently know. Ontario's mines, towns and cities, hospitals, and ultimately Ontario's people deserve the opportunity to be heard. The concession that the opposition achieved last week is one step in a consultative process that this government did promise, and it's one promise the opposition will surely see that they keep.

**Mrs Marion Boyd (London Centre):** I'm very pleased to have an opportunity to speak on Bill 26 and to talk about some of the concerns I've heard today from people who were in London attending a day of protest, which was very largely centred around the elements of this bill. Originally planned as a labour demonstration around Bill 7, the demonstration of protest today expanded quite substantially because of the actions of the government in the introduction of and the attempt to limit discussion on Bill 26.

These actions in both Bill 7 and Bill 26 of this government, to limit public input into the discussion, to try and control the amount of information that exists for the public about the elements of these bills, to try and put a gloss on very significant pieces of information by saying they were elected to do what they are doing and therefore no one has the right to comment on what they are doing and the public has already had enough opportunity to comment, are simply not being accepted by the people of Ontario, nor should they be.

In both instances of these bills the government has gone far beyond what anyone in this province could logically or reasonably have expected from the discussion they had with the people of Ontario prior to the election. It's important for us to be very clear: No one is disputing the fact that the Tories won the election, no one; we all know they did. What we are saying is that they won that election on false pretences, and the evidence is in this bill and in Bill 7.

This government did not tell the people of Ontario that it was going to roll back certification and decertification processes that had existed from the 1940s, in conjunction with its repeal of Bill 40. They are quite right: They did say they would repeal Bill 40. The people of Ontario voted for them anyway, and we need to accept that. But they did not tell the people of Ontario that they intended to change the entire labour law of this province, and they did so in a very brief period of time, with very little opportunity for members of this Legislature to understand all of the changes and their impact, and no opportunity—no opportunity—for the people of Ontario to understand that bill and to be able to come before legislative members in committee with their comments.

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It is unprecedented for a government to have taken that step with such an important piece of legislation, and yet

no sooner have they done that, no sooner have they heard the outcry from people who really objected to this, than they bring forward Bill 26 and they try to do exactly the same thing.

It is not acceptable to the people of Ontario that a government, however large its majority, assume that once elected it can go ahead and do whatever it chooses without respect for the legislative process. The people of Ontario have become accustomed to a process which enables them to comment and make suggestions about changes to bills, that allows them the time to understand the impact and the import of those bills and that gives them an opportunity to be part of the process of establishing the laws of this province. It is simply unheard of for a government to make the kind of massive changes that are implied by Bill 26.

"Implied," I say, because of course all of these schedules are very, very confusing to people who don't have access to the full compendium, who don't have access to the bills that are being changed by these alterations and have no opportunity to know what in fact some of those changes mean. It's quite true that it is in fact taking us, as opposition, a good length of time to do that, and it's not surprising that it is taking that length of time, because in fact these changes are so substantial that we estimate it would take many, many hours for people to even read through all of the schedules and all of the acts that are being changed and to truly understand the impact of the changes, which may indeed look as though they are minor, and indeed the backbenchers appear convinced of this. The backbenchers appear to be convinced that this is not an important piece of legislation, that it does very little that hasn't been done before, and that is simply not so.

It is very, very important for all of us in this Legislature to understand that the compendium, the explanatory document that explains to people in this Legislature what the impact of the changes of this bill are, runs 2,225 pages long, and that is without the full text of all bills, simply a few pages Xeroxed here and there where there are specific changes made.

If you assume that members of this Legislature can actually read all of this material at, say, 30 pages an hour—and that's quite an assumption, because it is dense and complex—just to read the material would take more than 74 hours. Just to read it, not to comment on it, not to look at possible changes, not to look at the impact in other areas, not to look at the cumulative impact, simply to read it would take 74 hours. Yet this government tried to push this bill through this Legislature without discussion and without the time for the members of this Legislature to fully digest exactly what is implied in this bill.

Fortunately, that was stopped. Fortunately, the members of the opposition parties took action to prevent that from happening and we now have enough time for members to read and to digest and to understand the impact of this bill and to bring to the legislative committee process a much more fruitful discussion.

I think there are those in the province who do not understand why we believe so passionately that this process must be respected, and the reason for that is that



if we are to have a participatory democracy, if we are to have educated voters who vote for their governments and who support their governments—because it's important that once in power a government be supported—it is important for those citizens to be informed, to understand, particularly at a difficult period of time such as this, why their governments are taking the kinds of actions that they're taking.

The two opposition parties understand this very well. We've been in government in our own periods of time. We know there are difficult tasks involved for any government at any time, and this government is no exception.

So one would assume that it would be important to the members of this government to be sure that the citizens of Ontario are fully informed about the impact and the import of what they are doing, and yet they seem determined to act in secrecy and to prevent the kind of consultation which the various groups have come very much to expect and indeed on which they rely in order to be part of the process and to be supportive of government action, even when that is difficult.

As the justice critic for my party, I am responsible for a number of areas that are affected by this bill. I want to talk first about the firefighters and how the firefighters of this province are affected by this bill.

I'm reminded to do that because there were large numbers of firefighters who came to London today, who understood very clearly the impact of this bill on their profession and on the safety of the citizens of Ontario and who wanted to express in that forum their dismay with the lack of consultation and the lack of care that this government is demonstrating in putting forward this bill.

I refer to a letter dated December 6 that was sent to the Solicitor General and Minister of Correctional Services, who of course is responsible for firefighting in the province, and it's very interesting to know that the firefighters in this letter are expressing great concern with Bill 26. I want to tell you what they were saying:

"Our association is...much more concerned with Bill 26, the omnibus bill, mentioned above. We believe it is quite simply devastating for future labour relations and collective bargaining between firefighters and their employers. In fact, contrary to what was conveyed at the meeting of October 19, 1995"—which the professional firefighters had with the minister responsible—"the Fire Departments Act is about to be significantly altered with virtually no consultation or input by firefighter associations. At this meeting you"—meaning the minister—"indicated to us that we were being given until the end of 1995 to respond to the fire marshal's report and our response will be forthcoming before the deadline. You also noted that no modifications to the Fire Departments Act were contemplated until you heard from all the stakeholders and you anticipated possible changes as a 'best-case scenario' by the fall of 1996."

So here we are with the Solicitor General and Minister of Correctional Services at a meeting with the representatives of the Provincial Federation of Ontario Fire Fighters on October 19, telling them that no changes would be made to the Fire Departments Act until the fall of 1996.

However, on November 23, the provincial federation received a letter from the minister in which he noted:

"As you know, the fire marshal's report has been submitted to me and I have circulated it to members of the committee for review and comment. This is the first step in a thorough review of the fire marshal's recommendations. I am confident that this will lead to very positive legislative change for fire protection in Ontario."

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The writer of the letter goes on to say: "Thorough review indeed. A most devastating change to the act is about to occur before you"—meaning the minister—"even received our response to the fire marshal's report or conferred with the stakeholders."

"In a video presentation prepared for a firefighter conference held in April of 1995 and just before the provincial election, Premier Mike Harris had this to say about the Fire Departments Act"—again a quote, from this video—"We have serious concerns about some of the changes that are being contemplated with respect to the Fire Departments Act. Today I simply want to leave you with my personal assurances. No changes will be made under a Harris government until such time as your members have been thoroughly consulted, and we will insist that all changes will be fully costed both from the point of view of the workers as well as management." Quite a promise. Obviously a promise that has not been kept.

The writer of the letter goes on to say to the minister: "Bill 26, in our view, relegates this statement to mere pre-election rhetoric"—quite polite, I thought; some others might call it something else—"and your personal and written assurances of 'thorough review' as a misrepresentation of the reality that is there for all of us to observe. The omnibus bill clearly amends the Fire Departments Act to the detriment of our affiliated locals. There may have been consultation with the Association of Municipalities of Ontario"—although I think AMO might disagree with that—"for they will be pleased indeed, but there was absolutely no consultation with the Provincial Federation of Ontario Fire Fighters. Indeed, our federation was never notified that the act was going to be altered as part of the government's recent economic statement. It is ironic that the fire marshal, in his report, advises that recommendation 14 [in that report], 'Items for Consideration by Arbitrators,' not be instituted. Yet to date this is the very recommendation that the provincial government has chosen to implement."

So not only is the government slapping the provincial firefighters themselves in the face, but its own fire marshal as well.

The federation of provincial fire fighters "believes that the five criteria which arbitrators will be mandated to consider could well be the end of free collective bargaining in the fire service in Ontario."

One suspects that this is exactly what this government hopes to attain by this bill, with firefighters, with police officers and with any of the other groups that now are put in the position of having arbitrators limited.

"They jeopardize our very right to effectively represent our members at the bargaining table. We assert that the

present arbitration process serves all parties well and fairly. As noted in a number of our responses to the Fire Departments Act deliberations, over 85% of all agreements have been successfully and freely negotiated by the parties without resorting to interest arbitration. Thus, the association of municipalities' assertion that the system is stacked against the corporations is simply not true. The five criteria are not acceptable to firefighters for a number of reasons," and the provincial federation goes on to say why they are not acceptable:

"(i) Mismanagement by the city will impact on firefighter compensation packages.

"(ii) Arbitrators will be asked to set the levels of fire service in various communities up to and including downsizing and firefighter layoffs."

So here we have an arbitrator, who may know little or nothing about firefighting as a profession, who in fact in the process of this arbitration would be setting the fire standards in your community or mine. I think that's disgraceful.

"(iii) Unlike the Police Act"—where at least there is a mandated police protection—"fire protection, which is not mandated, does not speak to the welfare of the community.

"(iv) Citizens will suffer a possible loss of fire protection and medical emergency response based on possible indiscriminate spending by elected officials. The fear here obviously is that if municipalities choose to spend their money in other areas than fire safety, there is a really serious issue at hand, given this arbitration process.

"(v) Even in municipalities that enjoy a positive economic situation, arbitrators must award with a view to the overall economic outlet in the province." So even if you have a viable municipality that has been effective and efficient and has its budget in order, the arbitrator will not be able to look at the particular situation without seeing it in the context of the whole province.

"(vi) The criteria dealing with employers' need for qualified employees opens our collective agreements to attack in any number of areas, from technological change to job descriptions. It will undoubtedly be used by employers to justify any and every intrusion into our collective agreements."

The Provincial Federation of Ontario Fire Fighters is not a militant bunch of people. In fact, many of us in this assembly, and I am certainly one of them, have often wished that as a group they would be much more proactive in many areas, equity issues being one of them. So we need to know that we are not talking about a very radical, very rabid group. We are talking about a group of dedicated professionals considered to be essential service workers, unable to strike in this province and not wanting to strike, but having to accept arbitration and being put in a position where that arbitration will be limited by this act in such a way that none of us will be able to be sure that our fire safety is protected as a result.

It is very, very important that we listen to groups like this, that we be very, very clear that what the government is doing here in a little, tiny paragraph talking about the

Fire Departments Act is of very important consequence for all of us in our communities.

This is not just a vested interest for a particular group, although of course it is that too and we all recognize that. But it is our interests that are affected by this and I would say to you that that is true also of the police, of the teachers, who are also affected by this act, of all who would suddenly find themselves, as essential providers of service in our community, put in a position where they needed to accept arbitration and suddenly finding themselves in a position where that arbitration could be skewed in one direction or another through no fault of their own and with very little regard to the quality of service that is delivered. That is a very, very serious issue for us as a community.

I wanted to be able to represent those views of the firefighters tonight because they were brought so urgently to my attention and because I think this is a group that we often ignore. Many of us have very little idea of the hazards that daily face firefighters in our province. We tend to take this group of workers very much for granted until a disaster occurs, and then we rely upon them for our very lives.

So it seems to me that when a government, when going forward to election, makes a solemn promise to a group of dedicated public servants like the firefighters that they will be fully consulted, that the issues will be fully aired and that their views and their needs will be considered as well as the needs of those who are managing fire services, then it seems to me that all of us must question the kinds of promises that this government made in trying to get elected.

It is not in any way a figment of our imagination because we're opposition, which is what we seem to hear every day from the government benches, that people are distressed and disturbed, that they see the promises being made to them absolutely ignored. This is the government, this is the group of people who said that they were going to be a new kind of politician and that when they came into government they would keep their promises.

Well, they have a very selective way of deciding which promises they will keep and which ones they won't, and they constantly insist that they haven't broken promises. Instead of saying quite honestly—as frankly the Attorney General did about the \$130 million that was going to come out of the legal aid system. He at least had the nerve and the guts to stand here and say in this assembly that indeed that promise was not going to be kept, and we congratulated him for that. But day after day in this place we hear the rest of these folks saying very clearly, "Well, it is our promise and it's our promise because of X, Y and Z."

## 2010

The health funding is a really good example. It is impossible for this government to be anything but cynical when it suggests that its promise of not one cent out of the health care system, that its promise of no user fees can be somehow rolled into and interpreted as being what is happening in Bill 26. That is absolutely cynical and unacceptable to most people in this province.



People are not foolish. They can be fooled for part of the time, but they can't be fooled for very long when day after day they are being told by their government that black is white and white is black. That simply doesn't work for very long, and that's what happening with Bill 26.

We all know that hospitals need restructuring.

**Mr John Hastings (Etobicoke-Rexdale):** Why didn't you do it?

**Mrs Boyd:** We all know that there need to be changes in our medical system. Our government worked very hard and accomplished a great deal within the term of our office, but we understood that unless communities accepted and indeed led the restructuring, they would not have a commitment to the changes that were made. That's why we worked with district health councils, we worked with the various institutions in various communities, we worked with the professions that work at those institutions.

One of the members said, "Why didn't you do it?" We have Windsor with substantial restructuring in its community that we managed to lever and that they were prepared to do. Work has gone on in Sudbury—not completed, but gone on well—in Sault Ste Marie, in London, in Timmins. There has been a great deal of work done, but it's been done within the community by the district health councils, the people who run those hospitals and the citizens who use those hospitals.

And what is their reward? Bill 26, in which all of a sudden all the communities all over this province that were busy working away, trying to restructure, trying to live within the means that we have in this province, find out that this government disrespects the work that goes on in communities, disrespects the expertise that community members have about their own health care and is going to empower one person to have the power to make a determination about what services are going to be offered, what hospitals are going to be open, what hospitals are going to be closed and exactly how this restructuring is going to happen. The minister says, "Oh, I won't use that." Then why is it there and why was there such a rush to get this through the Legislature?

The Minister of Municipal Affairs and Housing: Apparently he doesn't need the power to amalgamate municipalities, doesn't need the power to force annexations. He doesn't need the power to do this without the consent of the people who are being governed by local municipalities. Then why did the Minister of Finance say we needed this bill in order to accomplish what the government wants to accomplish in cost-cutting before the end of the year?

Well might we ask. If they are not using these powers, why are they giving themselves these powers? Why are they shifting the balance from communities to a small cabal within the cabinet? Why are they not using the processes that have been developed, that people have clearly shown themselves willing to use to restructure to meet the new realities of the cost of medical care and the type of medical care that's being given?

There's only one reason: They have no respect for the ability of communities to make those tough decisions.

They have no belief in the changes that people want to make. They have only a belief in their own right and their own will to exercise their own decision-making.

There is an arrogance and a narrowmindedness about this approach that is very offensive to communities across this province. It is extremely offensive for people suddenly to hear that it is better for one person—

**Hon Dianne Cunningham (Minister of Intergovernmental Affairs, minister responsible for women's issues):** Careful, Marion—one person.

**Mrs Boyd:** Of course, a minister can be anybody, so we're not talking about the particular minister, because the legislation provides for whoever the Minister of Health is to exercise that power.

Nobody, no one in this Legislature should want or seek that kind of power. It is not part of an agreed, democratic way of governing. It is not part of a way of making change in a province that really takes advantage of the talents and the willingness of the people in the province. It is simply a way of a government which has made up its mind that because it won an election, it can do whatever it wants. It wants the power to do that and will exercise it whenever it chooses to do so.

There is a certain lack of veracity in the claim of this government that it will never use this power. The real problem that I have is that if they don't have any intention of using these powers, why are they in such an all-fired hurry to make sure that they grab them to themselves? That's the question the people of Ontario should ask. That's exactly the kind of question they should be asking themselves. Every one of us should be looking in our own communities to say, do we really want one person, any person—I'm not talking about the particular person who's the minister now—to have that kind of power over our hospital care in our communities?

I would suspect that the answer of the majority of the people of Ontario would be a resounding no, and that is why the members of the opposition parties are saying here in this place, making voice of, "No, this is not an appropriate way for us to be using power in our government in Ontario and that is not an appropriate ambition for those who are wanting to govern now or in the future."

It is very important as we go through the next weeks that people understand the importance of doing input into this bill. It is going to be important for every member of this Legislature to be sure that in all of our constituency offices we are willing to meet with people and give them access to the actual documents and to make sure that people know where they can order them—from the government bookstore—and how they can have access to this very important document.

It is extremely important that all of us recognize our responsibility to our constituents in this, because this bill has within it enormous changes to the way in which decisions are made in this province. It is extremely important to us, as people who represent our constituents, to ensure that they have an opportunity to give an informed opinion upon so important a bill.

I am going to stop at this point because I know there are other members of our caucus who want to comment on this bill, but I simply say that the groups like the firefighters that I talked about earlier in my speech tonight, the groups like the police forces, the groups who stand to be affected substantially by this bill also deserve to be listened to.

This is a government that constantly says that anyone who speaks in opposition to what it is trying to do is speaking out of a special interest. When you count up all the special interests, they're everybody in this province except their special interests. It is important for us to remember that whether or not a group is speaking from some level of vested interest, that does not make them not worth hearing, particularly those who work in our public services, who offer their lives, literally, every day on our behalf. It is important for us to allow them to explain how this bill will affect their ability to provide that public safety service to us.

2020

**Mr Douglas B. Ford (Etobicoke-Humber):** It is with great pride that I rise in the chamber to speak in support of Bill 26, the Savings and Restructuring Act, presented by the Minister of Finance to this House. This pride is tempered with a great sense of responsibility, one that I'm sure all new members feel when they arrive here. In fact, this idea that responsibility matters is a core theme of my remarks.

While preparing my notes, I remembered the words of Sir Winston Churchill, whom I have admired for many years, when he said in the British Parliament in 1952: "Short words are best and the old words, when short, are best of all." I shall attempt to honour Sir Winston's advice by following it today.

My main purpose is to speak about the Savings and Restructuring Act, and in doing so, let me also refer to the government's economic policy, expressed strongly and decisively in the economic statement. It is tough, though fair. Its values are significant: the importance of individual responsibility, the urgent need for institutional adaption and the hard-nosed realization that we cannot continue as we have done in the past. These values are entirely in accordance with the preferences of Ontarians for lower taxes, streamlined government and a massive dose of common sense in the way our public business is conducted.

Before arriving in this House, I was a businessman for 32 years. Along with my wife, Diane, I opened a company that manufactured adhesives products. It soon grew to employ 50 Ontarians in two plants in Etobicoke and is today a thriving enterprise being managed by my three sons, Randal, Douglas and Rob, and my daughter, Kathryn.

My story is not unique. Rather, it is a typical story, shared by so many Ontarians who have ventured forth into the private sector with an idea, an appetite for risk and the willingness to put in long hours to bring their vision to light and to create jobs for their neighbours.

I learned a lot while I was in business. One of the most important lessons concerned fairness. Fairness was

hard to define in precise terms but was a quality whose absence was easy to spot. In the context of the matter before this House, the incessant demands of government on individual taxpayers for more and more of their hard-earned income just weren't fair.

It has been obvious for many years that successive governments were engaged in the practice of serial denial about the perilous state of the province's finances. They were always postponing the hard decisions about budget cuts because they valued popularity and the approval of the media far more than the inner satisfaction that comes from doing the right thing, no matter how hard.

The ills that the Minister of Finance's statement seeks to correct were symbolic of a dysfunctional relationship between the public and private sectors that had accumulated over the last decade, one in which obligations only seemed to want to run in one direction. I am pleased to say that we have moved beyond that point today. We have taken the hard decisions necessary to reverse the tide of red ink that was threatening to drown every resident of this province and those generations yet unborn.

Ontario's open again—for jobs, growth and innovation. We are open again to the possibilities of constructive change, led by people who are prepared to work, to whom responsibilities are more important than rights, and whose source of pride arises from giving to rather than taking from society.

These are the kind of people I represent in Etobicoke-Humber: people who are homeowners and tenants; people whose parents and grandparents were proud Canadians, as well as people who have just arrived in this remarkable country from around the world; people who create jobs and work at jobs, who try to follow the rules, who believe in merit and who want government on their side, not in their way. I am very proud to represent those people in this Legislature.

Even though I have been here only a short time, I am aware of the responsibilities that the people of Etobicoke-Humber have given to me and how I must be a servant of their trust.

I have also learned during these few months that many Canadians have a deep and abiding cynicism about politics and government. I understand how they feel, and I think it's up to us in this Legislature to earn back their confidence by doing some of the basic lessons I learned while in business: say what you mean; deal honourably and fairly with everyone; do what is right, no matter how hard or unpopular; and above all else, keep your promises. That, coupled with the passage of time and the evidence of commitment and leadership, is as sure a recipe for earning back the endorsement and trust of the people of Ontario as I could imagine.

I also strongly believe that public service by men and women of goodwill, such as the members of this chamber, is vital to steering our province to a better future, especially in times like these when the challenges we face are formidable and our resources are similarly strained.

As Churchill said, "It is better to be making the news than taking it; to be an actor rather than a critic."



In fact, taking action about the things that were wrong with Ontario was a strong motivating force behind my entry into politics at a time in my life when I had already been blessed with one full, challenging career. My motivation was pragmatic and constructive. I did not seek a nomination and win an election with the expectation of administering a department or engaging in lofty discussions about policy or the public good with lobbyists for special interests. No, like the people I represent, I entered politics to find practical solutions to the problems that life sets before all of us.

It is my desire to use the great power and apparatus of government to make change for the better so that Ontario can continue to be the envy of the world for the quality of life we have built here.

Some members who have been in this House for a while may find this kind of observation to be a bit earnest or, worse, naïve, yet I must wonder whether that kind of cynicism isn't itself part of the problem we face in earning back the public's trust. If we are not dedicated to serving those who put us here, then why are we here? What other idol could have replaced service as the driving motivation for the work we try to do in this assembly?

As a new member, I am still convinced that there is no better place to be than in this House, at this particular time in our country's history, for anyone who seeks to improve the society in which we live. I am confident that this belief will stay with me throughout my time in this chamber, for if it does not, it means we have failed collectively to change the system enough to convince Ontarians that politics is more than a rigged game. I believe it can be a way for a better life, through the painful and often tedious process of talk, of give and take, of articulating and sticking to principles, commitments and promises.

The great English parliamentarian Edmund Burke said: "Government is a contrivance of human wisdom to provide for human wants. Men have a right that these wants should be provided for by this wisdom."

I was not sent here by the people of Etobicoke-Humber to add to the follies of big government, but rather to help restore some common sense to how we conduct public business. My first loyalty is to them, to give them the benefit of my judgement, rather than be merely a pale reflection of passing opinions. So I take great comfort in knowing that the voters of Etobicoke-Humber made a clear choice for a clear program in this last election. It is my responsibility to see that this program is implemented on their behalf, using my judgement to help make it work, consistent with the view that we are here to serve and not to rule.

I am grateful to be a member of this House. It is a privilege that I believe we should never take lightly. It is a privilege that we must renew each day by our example and by living our convictions. This House can be a great and noble place. It is up to us to remember why we are here and never be content with accepting an unworkable status quo.

This is why I am here: to work for efficiency, clarity and fairness; to make things work better so that together

we can build a better society; to speak on behalf of the people who sent me here; to listen, to lead and bring my judgement to bear as part of a government committed to doing the difficult things needed for Ontario, so we can recapture its glory and fulfil its destiny in a strong and united Canada.

2030

**Mr Gilles E. Morin (Carleton East):** I would like to discuss some of the provisions contained in Bill 26, provisions which directly affect thousands of seniors and low-income Ontarians. Before doing so, however, there are a few points I would like to raise concerning Bill 26 itself and the manner in which, until late last week, the government chose to proceed.

Parliamentary rules have changed over time, but their objective has always been the same, namely, to impose limits upon the exercise of power, to eliminate any arbitrariness in the decision-making process. This cannot be overstated. We live in a democracy. Sovereignty lies, not with the Premier, not with the Minister of Finance, nor even with the Lieutenant Governor. Sovereignty lies with the people of Ontario.

We, the elected members of Parliament, are representatives of the citizens of Ontario, and one of our most fundamental duties is the protection of their rights and the representation of their interests. Democracy, it bears reminding, does not start and stop at the ballot box. It is an ongoing process, a continuous exchange between the governed and the governing body. It implies a direct involvement of the people in the political process. In other words, the citizenry is considered capable of contributing meaningfully to the political process and cannot be summarily dismissed, as if its views were inconsequential. For people not only need to be informed about any measures or decisions which directly affect them; they are entitled to that information. Consultation, then, is an inherent part of the democratic process.

Bill 26 and the surreptitious manner in which it was introduced does more than a grave disservice to the members of the Assembly. It denies the people of Ontario the right to debate and evaluate a piece of legislation that is extremely wide-ranging in its application. Yes, there will be three weeks of public hearings, but these were granted only under the most extreme circumstances.

Bill 26 gives the Minister of Health, in particular, a host of powers not subject to any specific scrutiny. The minister can essentially act in any manner which he deems necessary, with few, if any, public consultations. It is not to his credit that he says he has no intention to exercise those powers. Under no circumstances should a person in his position be entrusted with the power to act in an arbitrary manner. This contradicts the very essence of democracy.

I would urge this government to please remember the great principles and traditions which bring us together in this House. I would remind this government that it must strive, as indeed must we all, to uphold to the best of its abilities those essential qualities which differentiate the rule of law from the arbitrary exercise of power.

Turning now to the content of Bill 26, quite a bit has been said in recent days regarding the government's

promise to spare health care from any significant cuts in its attempt to control expenses. It seems clear to me that the Conservative Party's intention during the election campaign was to create the impression among the voters that health care expenditures would not be cut. This is not surprising, considering the fact that a majority of Ontarians believe health care should be a high priority for government spending. Nearly three quarters of Ontarians do not support health care cuts.

Perhaps we on the opposition side, and many members of the public, feel especially compelled to voice our position to the cuts in light of the fact that the Premier emphatically repeated on a number of occasions his commitment not to cut health care expenses. Perhaps it's only semantics; the Premier said one thing but meant another.

In contradiction to the Premier's words, Bill 26 stands as a testimony to broken promises. It imposes user fees upon senior and low-income citizens, who will be required to pay dispensing fees for every prescription. This, despite the Premier's assertion that: "User fees tend to discourage low-income people from obtaining the medical treatment they need. That makes them unfair."

I would like to bring to the attention of this House, and especially to this government's attention, the following situation. A resident in my riding, Mrs Victoria Ruscito, wrote to me recently to explain the predicament in which she now finds herself because of the extra financial burden to be imposed by Bill 26.

Mrs Ruscito receives a family benefit allowance. Her husband is on a disability pension. Severe health problems require Mrs Ruscito to take 17 different medications. Her husband is also receiving medical treatment. The \$2 fee times 17 prescriptions equals \$34, and this does not include the dispensing fee. Should she have to pay the maximum dispensing fee of \$6.11 for each prescription, we're talking about \$103.87. This is an enormous sum to disburse from a fixed income, and this doesn't take into account Mr Ruscito's medication.

Mr and Mrs Ruscito do not often shop for groceries. Instead, they rely upon food banks and turn to the Salvation Army for clothing. They are obviously already experiencing great difficulties in making ends meet. They will suffer extreme hardship when the provisions of Bill 26 come into effect.

Mr and Mrs Ruscito are not statistics, they are not faceless numbers, and they are certainly not the lazy, dishonest people this government assumes all recipients of social assistance to be. They did not choose to be in their present situation, a situation which may worsen dramatically because of this government's dangerous fixation on the bottom line at any expense.

The way this government proceeds is appalling: without proper debate in the chamber; with few public consultations unless otherwise obliged; with outright disdain for those who dare to disagree with its views; with complete disregard for the very real consequences its policies will have upon the people of this province. Its only interest clearly resides in the application of its right-wing rhetoric. All I can say is that it's a sad day for Ontario when democracy becomes an impediment to government.

2040

**Mr Howard Hampton (Rainy River):** My remarks will be relatively brief because there are a number of other members of our caucus who want to speak on the legislation and who want a chance to comment on some of the many areas of the bill that need much greater and much more careful exploration.

I want to talk just a bit about the health care provisions of the bill, because I think they say a lot about where this government is headed and I think they say a lot about the fact that if this government is allowed to proceed, we may indeed have a health care system four or five years down the road which looks much more like the American health care system than what has traditionally been the Canadian health care system. I want to talk about some of those specific issues.

People need to know that some of the provisions in this bill dealing with health care open the door to private, for-profit clinics from the United States to come to Ontario and become service providers in the health care system. I don't believe many people know that, but they need to know it and they need to understand what it means.

The Independent Health Facilities Act currently requires the government to give preference to non-profit over profit-making facilities when a health clinic is being set up. It also requires government to give preference to a Canadian-owned operation over foreign-owned. I think those are good ideas. It's been an obscure section of the law in the past, but despite the fact that it may be obscure, it was a very good idea.

Now this government is taking that away. It is doing away with the preference for non-profit health facilities and it is doing away with the preference for Canadian-owned facilities. To me, that says it won't be long before the Minister of Health will be inviting in for-profit private health care organizations from the United States. The public needs to know that. That's one piece of it.

The other piece of it that the public needs to know about is what can happen to prescription drug prices. What we've had in the province is a regulated system of prescription drug pricing, and I think that's worked well in terms of keeping the price of prescription drugs at a reasonable level. That is now going to be done away with and in effect we're moving to, if not an open market on prescription drugs, then something close to it.

I think what we will see is again what has happened in the United States. If you look at a number of prescription drugs that are available in this province and you compare the price for those prescription drugs with the price that exists in the United States, you'll find the American price is in most cases much higher. I think under this legislation that is where we will be headed on this front as well.

I guess that's part of worshipping at the altar of free enterprise, since this government seems to believe that whatever involves free enterprise must be good, even if you can show logical arguments that it is not necessarily good and in some cases may be harmful. In these cases, I think it is going to be quite harmful because it will simply mean that some prescription drugs for some people will become unaffordable.



The other piece of this that I believe the public needs to know about is the incredible powers being handed over to the Minister of Health. As the legislation now stands, the minister has almost unilateral authority to collect, to review and to have access to people's private medical files.

I can understand why a physician needs to have access to a medical file. I can understand why a physiotherapist, why a nurse, why a chiropractor may need to have access to someone's medical file. But why an elected political representative needs to have access to someone's medical file or why the agents of an elected political representative need to have access to someone's medical file is something that has not been satisfactorily explained to me. But I think it's something the public will be quite interested to know, that this legislation seeks to give the Minister of Health access to their private health records.

Let me go on from there. We've got the benefit now of having a legal analysis from a law firm of some sections of the act: the power of the Minister of Health in respect of hospitals and clinics and independent health care facilities; the power of the Minister of Health to in effect order the closure of a hospital; the power of the Minister of Health to in effect order the amalgamation of hospitals without a public consultation process, without sitting down and talking to the community involved and without any procedure for review or appeal for the community.

I come from a set of communities where health care reform is something people have worked at over the last three years. I understand the need for health care reform and especially for hospital reform. I understand the need to actually have a hospital or health care restructuring commission. I understand those needs and I understand the need to give that commission the authority to sit down with communities and work with communities to help them restructure the hospital system in their neighbourhoods so as to be able to provide the needed services at costs we can meet.

I don't understand why the Minister of Health has to have the power, however, to close hospitals, to force the amalgamation of hospitals. In fact, I would argue that that's a power that ought to reside with the commission, and the commission ought to be circumscribed by a list of procedures and a process for getting to its conclusions, and procedures and a process for appealing or reviewing its conclusions so that communities can be dealt with fairly and communities will be a real part of the process.

As it stands now, giving these powers and authorities to the Minister of Health, in my mind, is a bit like setting up the minister as a dictator over health care in the province—no procedure to circumscribe the decisions the Minister of Health might make, no procedure for review, no procedure for appeal, and there are no guidelines or procedures in here that set out how the community is supposed to be involved. In my view, that's a very dangerous precedent to set, but even more dangerous, I think, is where it leads us.

In my case, coming from northern Ontario, we face the spectre of a Minister of Health sitting down here in Toronto, who may never have visited the community,

who may have never taken the time to sit down with hospital boards and talk about the needs of the community, making decisions about communities that are literally hundreds of miles away from here, in some cases more than 1,000 miles away from here, and which have conditions quite different from the conditions you might find, say, in Toronto or Hamilton or elsewhere in urban, southern Ontario.

To me, that prospect is nothing less than scary. I think the government would be wise to take the legislation it has proposed in respect of hospital closing and hospital restructuring and do a little work to put the authority in the hands of an independent commission; and also do a little work to ensure that there are procedures to be followed, that the communities are involved in those procedures; that there is a process for review and a process for appeal to make sure this is done fairly, to make sure that people are consulted on the outcomes, to make sure that mistakes aren't made, that discretion isn't abused; that the government doesn't in its haste find it's made very unwise decisions but find it out too late, when a facility has either been rendered closed or has had a number of its services taken away as a result of a hasty and unwise decision by the Minister of Health.

#### 2050

Others in our caucus and other members of the Legislature have remarked upon the fact that no government and no ministers ever in the history of this province have sought to have the unilateral decision-making that this government and these cabinet ministers now seek to have. No one has tried to make the kinds of decisions, which are almost in some cases life and death decisions, in such a unilateral, closed way as this government now seeks to do.

I think that says a lot about this government. There's a lot of rhetoric that this government offers up about being on the side of the people, but anybody who tries to take this amount of power to themselves, unilaterally, without any checks and balances to circumscribe the use of that power, says a lot, says quite a lot, it seems to me, about those individuals.

The reality of our society is that it is a cooperative democracy. Municipalities, communities, work with the province, the province works with the federal government. No government has sought in the past this kind of unilateral power, and I say, when you see this kind of unilateral power being sought, this kind of unilateral power is inevitably abused. It just happens that way when people seek out and get this much unilateral power.

I hope, now that public hearings have been forced on the government, I hope, when the legislative committees go out to talk to people about what's in Bill 26, particularly about the health care provisions, I hope that the government will see that it is off course and that it has chosen some very unwise ways of proceeding. And, as I say, I hope the government will put in place the kinds of procedural protections for communities and the kinds of review and appeal protections that will ensure that people are treated fairly and ensure that as much as possible the outcomes, whether it is the closure of a number of hospitals, the downsizing of a number of hospitals or the

amalgamation of a number of hospitals, whatever the outcome, it will be as much as possible a wise outcome.

As I said, there are a number of other members of our caucus who want to speak on Bill 26, so I will end my remarks now, but emphasize again that it would be wise for this government to listen when this bill goes out for public hearings, because I think this government will hear a lot from the people of Ontario about real common sense and not the imaginary hocus-pocus it has so far dreamed up.

**Mr David Tilson (Dufferin-Peel):** This bill we're debating this evening has come at a time finally, after a long, tumultuous week of very strange happenings in this place, and I must say I've never seen the conduct of the opposition that's occurred in this place last week, and I've been told by others who have been more experienced than I, nor have they.

When you think that this process started as an effort to delay the process. Day after day, adjournments would be made by the opposition. Then finally, of course, a week ago tomorrow, which was a day which I cannot believe as to what happened, we had the former Premier of this House threatening the Attorney General. We had members of the opposition saying unbelievable names to members in this House. The respect for this House, the respect of this chair, was just terrible as far as this opposition was concerned, and they should be ashamed. It even got to the stage where a member of the Liberal opposition came that close to striking a member of the cabinet, and then finally, of course, a week ago Wednesday, a member of the Liberal caucus defied the rules of this House, defied the rulings of this Chair and literally stayed in his place and eventually cost the province all kinds of money as a result of his conduct, and a complete disrespect for your chair, sir.

I can say that that was the way in which the opposition conducted itself last week in an effort to slow the process down. To slow the process down: a process which this government has undertaken to do last June. We undertook to do all of the things that are being put forward in the economic statement, and to do all of those things, we needed Bill 26. Different members of this House are speaking on various aspects of it. We offered public hearings, and of course the opposition said: "Oh, no. No, we want hearings in January." Well, that's going to cost the taxpayers all kinds of money with that delay, but we're prepared to proceed with this bill.

The message is clear: The NDP and Liberal alliance is opposed to our efforts, the efforts of the Conservative government, to restructure this province, to create more jobs, to bring the prosperity back that existed 10 years ago. That's what we're trying to do.

#### *Interjections.*

**Mr Tilson:** Well, there's all kinds of excitement over on the other side of the House, but I'll tell you, the taxpayers in this province have seen you people, Liberals and NDP, raise taxes 65 times in the last 10 years. We've undertaken to stop that process. We've undertaken to bring Ontario back to the greatness that it once was.

So Bill 26, as has been said by a number of other speakers in this place, is critical to hospitals, it's critical to municipalities, it's critical to schools and colleges, and it provides them with the things or the tools that they need to have to do the restructuring that is so badly needed in this province.

**Mr Gerretsen:** On a point of privilege, Mr Speaker: The member well knows that the first \$35 billion worth of debt was racked up by the Conservative governments under Bill Davis.

**The Deputy Speaker:** There is no point of privilege.

**Mr Tilson:** You're wasting my time and you're wasting the time of the House.

I'd like to repeat a few things that were said in the economic statement, and I'm quoting from it. I've quoted from it before and I'm going to quote from it again, because this is why Bill 26 is coming about:

"The root of our debt problem is government overspending. As a result of the fiscal situation we inherited, currently the government spends \$1 million an hour more than it receives in revenues"—\$1 million an hour more than it receives in revenues, and this crowd over here wants to stop our government from restructuring and enabling us to stop that continuous increase of taxes, that tremendous increase of government spending. I can tell you that we are going to continue with our commitment. We are going to continue with the Common Sense Revolution of this province and build the province that it once was.

Continuing on: "In the last 10 years government spending has almost doubled, while the accumulated debt has almost tripled. What do the people of Ontario have to show for it? Fewer jobs today than in 1989, higher unemployment and nearly three times as many people on social assistance as 10 years ago....

"Over the past decade, previous governments financed some of their overspending by raising taxes. They raised taxes 65 times during those 10 years. Ontario's personal income tax rates are now among the highest in North America....

"In the past 10 years our provincial debt has almost tripled. Soon, it will exceed \$100 billion"—an astounding amount of money.

#### *Interjection.*

**The Deputy Speaker:** The member for Windsor-Walkerville will come to order.

**Mr Tilson:** These people have been spending money like there's no end to it, and we're going to stop that.

"This year, we will pay close to \$9 billion in interest... on that debt. This is more than what the province spends on hospitals, and more than we spend on all levels of education."

In fact, the members are talking about their concerns with respect to hospitals and education, and you have to listen to that effect, as to the interest that we're spending on the debt they've created. I repeat, it's "more than what the province spends on hospitals, and more than we spend on all levels of education," and in fact it's "as much as it cost to run the entire government [of Ontario] in 1975."



Finally, from the Finance minister's statement: "Right now our interest bill translates into almost \$800 a year from each of us—from every man, woman and child in the province. If interest costs continue to grow at the rate of the past five years, they will cost each of us about \$1,700 a year by the end of the decade. That's a total of about \$20 billion a year."

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So that's the state of the economy in this province. If we don't move now, if we don't move fast, we're going to be spending \$20 billion a year just on interest, and we intend to move to stop that as quickly as possible. We intend to restructure the government, and that's what all this exercise is about. Private enterprise has been restructuring for the last 20 years. Where in the heck have we been? We've got municipalities. We've got school boards. Just ask your constituents about their property taxes in this province. Just ask them, and ask them what they think about that.

*Interjection.*

**Mr Tilson:** Well, we're going to provide the tools to the municipalities and the school boards and the hospital boards and the others to change that. That's the whole purpose of Bill 26.

I'm going to close by simply saying that I was shocked at the conduct of the opposition last week. I know they're—

**Mr Gerretsen:** Well, we're shocked by your conduct.

**Mr Tilson:** Well, you can say you're shocked as to what we're doing, but surely you're not going to resort to anarchy, and that's what you resorted to last week, you resorted to anarchy.

*Interjections.*

**The Acting Speaker (Mr Gilles E. Morin):** Order.

**Mr Tilson:** As I indicated—and as you're ranting over there, remember these figures—Ontario's interest bill charged up by the previous government translates to almost \$800 a year for every man, woman and child in the province. If we don't stop this trend now, that \$3,200 per family of four that we now spend will be \$6,800 by the end of the decade, and our province's interest bill of \$9 billion this year is more than all of the Ministry of Education and Training spends on all education in this province.

I had intended to repeat some of the things that had been said by the Ministry of Municipal Affairs, because one of the things—

**Mr Gerretsen:** I hope not.

**Mr Tilson:** You say you hope not, but I tell you, you should start listening to what some of these ministers are saying. You're telling us you don't understand the bill. Minister after minister—the Minister of Natural Resources stood in his place and started summarizing some of the things that are going to affect his ministry, and you're saying you hope we're not going to repeat what they said.

**Mr Gerretsen:** Oh no, we're talking about the other minister, not that minister.

**Mr Tilson:** Well, we're telling you. We're telling you what this bill is going to do, and it's going to give the municipalities, it's going to give the school boards the tools to change the way we do things. And if we don't change the way we're going to do things, we're going to go bankrupt. So as you're ranting over there, remember that: If we don't change the way we're doing things fast and in a radical fashion, we're going to go bankrupt.

**Mr David Ramsay (Timiskaming):** I'm very pleased to come on the heels of the member for Dufferin-Peel, because part of how I wanted to start out tonight was to explain a little bit about what did happen last week and why. I would like to say to the member that we did not do what we did last week lightly. In fact, I was very uncomfortable about it, even though I certainly was an active participant, and I wanted to say to the member that we don't do actions like that lightly. And I must say that you won't see actions like that in the House again unless we see the extraordinary grab for power that was put forward in this House through Bill 26 last week. That's really what it's all about.

I want to talk to some of the Tory members. You somehow want to think that we don't agree with everything you're doing or that somehow you're the only change agents here; we don't agree with change.

That's not right. Everybody in Ontario knows that there has to be change and that we can't continue to go down the road that we've been going. There's no question about that.

The main point we were making last week was how you're going about this. You're treating Ontario as if it's a junkie who's been on a drug for a long time, and instead of putting that junkie into rehab and working with that junkie, what you're doing is going into cold turkey. You're just saying that basically to turn this province around, we're just going to be turning it from night to day overnight.

What I'm saying to you is that, yes, you did win the election, and we in the opposition respect that because we respect the democratic process, but that doesn't give you the right to come in here day after day and to say: "We've got in one document here five years' worth of legislation and we're going to ram it down the throats of the people of Ontario. We're going to give you a couple of weeks of hearings through committee just before Christmas, on the eve of Christmas, starting about 4 o'clock in the afternoon to midnight."

Yes, we did put this fight on last week to get some time for the people of Ontario to get over the holiday season so they could have to some time to digest some of this, to get through some of this and understand what some of the ramifications might be to their lifestyle, to their organization, to the work that they do so that they can come back to you, a democratically elected government, and give you some of their consideration as to how this might affect them, maybe give you some helpful hints as to how this could be done better, how we can make some of these changes more smoothly, without as much disruption as you're going to be causing with the way you're bringing it forward.

That's all we're asking. We know there's got to be change. A lot of this in here you did talk about in the election and you did get the mandate. But to shove it down people's throats in two weeks, without having any consultation, without giving time, was the big point that we were making last week.

I wish we hadn't had to do what we did last week, but I am proud of it. I'm proud that we got you to take a step back and say, "Yes, maybe we should be giving a few more weeks." To me, the point of total committee time wasn't the point of this; running it up to midnight maybe gave us, in a couple of weeks, a few more hours than what we're going to get now, but we now have an opportunity for the people of Ontario, all those groups and organizations, municipalities, hospitals, school boards etc that are going to be fundamentally changed by this at least an opportunity to take a look, to give some sober thought, to make some analysis and maybe bring forward some ideas that I hope you will be open to over there.

I don't think anybody or any party has all the right ideas and all the right answers. I always see this as that you've won it, so that's where we're headed. "This is the mandate we're going on, but we do work with the opposition." You do work with the public in trying to better the program you're embarked upon, so what we're saying to you is, work with us, work with the people of Ontario. Give the people out there a chance to consider this, to work with you with this to bring in some constructive ideas.

We saw this from the opposition side as a big hammer just shoving this down people's throats in Ontario. It's such a short period of time. It's so all-encompassing, so sweeping in its extent and powers that never before have we seen such an all-encompassing, more powerful bill, designating such arbitrary powers to individual ministers of this crown.

We've never seen this before, all of this in this one package, yet for some of your ministers to compare this to Bill 75 of the previous government, which by and large was housekeeping, an omnibus bill that basically was housekeeping changes that for the most part all parties agreed to—and in fact what finally was passed was by all-party agreement—this is a very, very different bill.

We thank you now that you've made that change. I bet we had to force you to do it, but the people of Ontario thank you. That's certainly what the vast majority of the calls I've received in my office and the people I spoke to over the weekend said to me: "Thank you for taking a stand."

I'm sure a lot of people, a lot of us over here, were a little uncomfortable about how we had to go about it and what we had to do, but we all stand in our place most proud that we did stand in our place and fight for the people of Ontario, to give them a chance to take a look, to consider and, yes, maybe to contribute to this, because I think the people can contribute to this and maybe develop some transition.

What you're doing, back to my analogy of putting Ontario on to cold turkey, is that you're not giving us a transition. The culture has changed here for 40 or 50 years, and in some areas maybe it's gone a little too far

and maybe this is the time to bring it back a little bit. But you've got to work with people in doing that and make sure that people don't get hurt in doing that and that people don't fall through the cracks when you do that.

So we need a transition time. To say overnight that service clubs will pick up this work or that work or somehow hospitals are going to do people's laundry or cater to a Rotary Club luncheon is just not going to happen; if ever, certainly not overnight. So we need a transition, because if you want the community to do the work, we're probably going to need more and different organizations to do some of that work.

The people in Lions and Kinsmen and Kiwanis and those people aren't accustomed to doing the type of work that government workers have done over the last 30 years, so we're looking for some transition time, some time to get the civic level of society up to speed to start to pull its weight a little more, as government, with its lack of resources, may have to retreat somewhat. That's all we're asking for: a bit of time, some consideration and a chance to constructively contribute to this.

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I am very proud to stand in my place tonight and join with my colleagues and other members of the government and opposition in contributing to this debate. I think it's very important that we get these views on the table.

We have a litany, and I think many members today have talked about them, of the sweeping changes that are contained in this Bill 26, this omnibus bill that basically amends over 44 pieces of legislation. We need more time to consider this and to allow the people of Ontario to consider and to digest this, so we ask for that time.

I look forward to being at the committee hearings in January and encourage all the people of Ontario to partake in that.

**Mr Tony Silipo (Dovercourt):** I'm glad to have the opportunity to make a few comments on this bill. We should just remind ourselves and people who may be watching that we are debating Bill 26, which is called by the government An Act to achieve Fiscal Savings and to Promote Economic Prosperity through Public Sector Restructuring etc. I think it would be more appropriately called An Act to give the Ministers of the Crown Unprecedented Powers and to give Municipalities and Other Broader Public Sector Employers More Powers to impose User Fees and to force down Public Sector Wages, because that's in effect what this bill does.

It's probably time that this government at least had the courage to call a spade a spade and to tell us once and for all very clearly, to tell the people of the province what it is that it is trying to do. They can keep talking about doing all of this to lower the deficit and to bring down the deficit and to take into account what is going on and to bring down government spending, but we know that what is driving their agenda, what continues to drive their agenda is not the concern, which to some extent they have, to bring down government spending, but it's to ensure that they bring down government spending so that they can take those savings and transfer them through tax cuts to the most well-off citizens in this province.



I saw the other night one of the ministers of the government talking about the fact that—87% I think was the quote that he used—87% of the people who are going to benefit from the tax cuts are people earning under \$50,000, and that's probably true in terms of the number of people. What he didn't tell this House and the people of the province is the fact that over half of the value of that amount of the tax cut is going to benefit the other 15% of taxpayers. So the top 10%, 15% of taxpayers in the province, those who pay higher, are going to be the ones to benefit the most by the cuts. That's the essence of what's in this bill, which facilitates, in effect, what this government introduced in its economic statement of last week.

I heard members talk earlier, and we all know, I think, and are still all of us reflecting upon the kinds of events that took place in this House last week. I have to say to you that as a member of the opposition, like, I know, every other member of the opposition who was here and who participated, we did not come to that action lightly.

*Interjections.*

**The Acting Speaker:** Order, order. I cannot hear. Please.

**Mr Silipo:** We did not take the action that we did lightly, because we respect, as I think all parliamentarians in this place do, the process that unfolds in this Legislature day after day and month after month. But I think it was incumbent upon us when this government decided not just to introduce this omnibus bill, which goes far beyond any other piece of legislation that we've ever seen, but when this government also insisted on wanting to pass this piece of legislation in the few remaining days left in the sittings of this House prior to the Christmas break, with no public input, with no public discussion, with barely two or three days of sittings in this House.

Then, I think, it left us, after repeated efforts to try to come to some understanding, as is the approach—and you well know, Mr Speaker, as someone who's been around this place many a year—as is the approach that's often taken and has usually been followed, which is that the three House leaders work out arrangements that then come to the floor of this Legislature that say, "This is the way in which we will proceed with this piece of legislation."

The normal course of events is that legislation is introduced, there is debate, as we are having tonight, and then the legislation goes out to committee for hearings. That's all we were asking for as members of the New Democratic Party caucus and members of the Liberal caucus. That's what we were asking for; nothing more.

We have no interest in stalling the right of this government to govern. They were duly elected. We may disagree with the wisdom of the voters in choosing this government, but that is the choice the people of this province made and that is a choice that we as the opposition respect and will continue to respect in the proceedings of this House.

But when this government decides that the majority it won on June 8 gives it the right to take unto itself the powers that have rested not just for decades but I would say for centuries in the institution of this Parliament, then

I think it's incumbent upon us in the opposition to say to them, "Just a minute." Because what's at stake here is not just the transferring of powers never heard of before from this Legislature to the Minister of Health to close down hospitals without any public discussion or any public input, not just the power transferred from this House to the Minister of Municipal Affairs and Housing to redesign municipalities; cities the size of London and Windsor could disappear, could be restructured without any public debate in this House. That's what's in this bill.

Not only are those changes in this legislation, but this government dared to attempt to pass that legislation without so much as a "by the way." What does the Parliament think? What do the people of the province, more importantly, think? Is this legislation what we need in this province? They of course, at the end of the day, have the majority and they can decide in their wisdom what they believe is in the best interests of the province.

Again, we are not quibbling with their right to pass the laws that they think they need to pass, because at the end of the day we are all subject to that test of the electorate. But the reality is that on any bill which would have far fewer implications than any portion of this bill would have, we have had, in following the democratic process in this Parliament, debate in committee, input by the public through hearings, and that is what we had wanted to achieve and that is what I am happy to say we've managed to achieve. It's very unfortunate that it had to take the efforts that it took from members of the opposition for that to happen.

When this bill now finally gets out to committee in the hearings that will begin next week and then following in the first few weeks of January, I think the public will have an opportunity to finally understand what this government is doing. What this government is doing through this piece of legislation and through the actions that have led to it, and no doubt the actions that will follow, is to fundamentally dismantle piece by piece all of the basic services and all of the basic structures that we have built up in this province, not just, as I've said previously, under the previous NDP government and not just under the previous Liberal government, but indeed under the previous Tory governments.

That is the frightening thing that this government is going about doing, and they are going about doing this with complete disregard for the processes that have developed in this province of input, of debate, of discussion and then decisions by the government of the day. That, I think, is the most offensive part of all, because when that goes, then there is very little, if anything, that is left to stand between the whims of a government and dictatorship.

I know that word has been used in this House, and I have to tell you that the first few times that I heard it, it gave me great trouble. It gave me great trouble because, Mr Speaker, as you know, I was born in a country which suffered the results of what happened when one person started out as an elected parliamentarian, and piece by piece transferred, through bills of the parliament, power unto himself.

I don't want to even think for a minute that we are talking here about something close to that, but it is something that strikes home to me and, I know, to many of the constituents in my riding and to many people in this Legislature that when you start to cross that threshold and when you say as a government, "The majority that we have won gives us the right to do whatever we want," completely disregarding the traditions of the parliamentary democracy and the systems that have been built up over years, then I think that what we are seeing is a frightening precedent.

So I look forward to the hearings over the next few weeks, because I think they will give people an opportunity to reflect greatly and to have input into some of the decisions.

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What do we see in this bill? I said earlier that one of the things this bill should be called is in fact a bill to force down public sector wages. That is what's happening. There is no greater and clearer place for that than in the provisions that this bill makes for removing proxy pay equity. Proxy pay equity, for the benefit of the public and perhaps even some of the members of this Legislature who haven't had a chance to take a good look at this, is a provision that allows for pay equity to be applied to women who work in some of the most underpaid sectors of the economy. We're talking here about people who work in such areas as day care, nursing homes, many of the social services in this province. It was because the previous pay equity provisions did not provide a way for the wages of those women to be brought up to par that the proxy pay equity provisions were brought in.

I remember how difficult it was, because I was Chair of Management Board at the time that the great debate was going on within the former government about how to achieve that. There were lots of people who told us it couldn't be done. Yet we found that when we sat down with representatives from the employee groups and the bureaucracy, with a direction to people to come up with something that would actually make sense and would work, lo and behold, we managed to make that breakthrough.

Yes, there were probably things, as the experience of applying that provision has shown us, improvements that needed to be made. But it's one thing to recognize that maybe you want to improve something; it's quite another to say to the 100,000 women who are benefiting from that provision, "Sorry, you're not going to be covered by this provision any more." What this government is saying to the 100,000 lowest-paid women in this province is that they can no longer have the benefit of pay equity. That's what they're saying; that's what this bill is saying.

**Mr Tony Clement (Brampton South):** Wrong.

**Mr Silipo:** If anybody across the floor says, "Wrong," then it tells me, again, why we have a need to have this bill out in committee: so that they can understand what they actually were about to pass. Because had this bill gone through, we would now be probably voting on it tonight for final passage, and that's what they would have passed. So maybe the time will give them an opportunity to reflect.

This bill transfers to the Minister of Municipal Affairs the ability to decide what municipalities will look like. Now, when I read this initially, I thought that in fact it also included an area that obviously touches me more directly—the greater Toronto area, particularly Metropolitan Toronto—but I understand that, as it seems, is not covered by this legislation. So I'm at least thankful for that. But I think that some of my other colleagues should be greatly concerned about what happens and about what powers this gives the Minister of Municipal Affairs to change municipality after municipality without bringing a bill into this Legislature, as would normally be the case, and without having any debate in this Legislature about what those changes should be, whether they make sense or not.

Again, we aren't questioning the right of the government at the end of the day to make the decisions that it deems appropriate. That is their right, that is the right that they won on June 8, but they did not win the right on June 8 to disregard the Parliament of this province.

What do they do in terms of how they're going to deal with meeting some of the fiscal pressures? They of course are downloading on to the municipalities, on to school boards, on to individuals, the cost. They who have, time after time after time, told us there is only one taxpayer in this province, what are they doing? There is only one taxpayer in this province, so what do they do? They cut funding to universities and colleges, which means higher tuition fees. In fact, they make specific provisions for higher tuition fees.

They cut transfers to municipalities, which means that what municipalities have to do is to either increase property taxes or—and this is the big catch that they want to sell the municipalities—impose user fees on anything that moves, any service that's available. That, to them, is not applying a tax. All of a sudden, the "one taxpayer" syndrome disappears. It's no longer relevant to them, because it won't be they who will be raising the tax, they argue; it will be the municipalities. Well, I'm sorry; people are a little bit smarter than that. People will understand what is going on, people are understanding what is going on, and maybe the only ones who won't understand are the 82 members of the Tory caucus, but the day of reckoning will come for them too.

We saw in the economic statement, and certainly carried on in this bill, in terms of giving themselves the legal provisions to do it, or to impose some of the changes, the breach of one of the most fundamental promises that this government made during the election. "There will be no user fees in health care. There will be no cuts to health care." How many times did Mike Harris say that during the election? How many times was he asked by reporters: "What does this mean? Does this mean that there will be no cuts whatsoever? Does this mean that you will continue the level of spending?" He, time after time after time, said: "Yes, the \$17.4 billion, that's what we're spending now, that's what we're going to continue to spend."

Surprise, surprise. We've discovered that's not what they're doing. The Premier's own admission said, "Watch me and I'll increase spending back up to \$17.4 billion the



year that we go to the electorate.” So what they’re going to do is they’re going to cut over the next three or four years and then, magically, they’re going to increase it back to \$17.4 billion, and they think the people of the province are going to be fooled by that. I think they’ll understand that what this government is doing is breaching some pretty fundamental promises, including certainly saying: “There will be no user fees on medicines that our seniors and others in this province need. There will be no user fees.” Now we discover there are user fees, but of course, since they call it a copayment they think that somehow that makes it okay and that lets them get around it.

Those discussions now about what’s allowed or not allowed under the Canada Health Act—funny, I don’t remember hearing a lot about that during the election and I don’t think the average person out there who was taken in by the Tory line remembers hearing a lot about it. Do you know why? Because they didn’t talk a lot about the Canada Health Act provisions at the time. They simply said, “There will not be user fees.” Now they think that people, magically somehow, will understand things differently. Better if they’d had the courage to say: “We’ve changed our mind. For whatever reasons, we’ve changed our mind. The situation is worse than it was.” They could have picked up any other line, any other reason, but no, they try to pretend that they’re staying as they were, and we know that they are not.

But the frightening thing is, again, what is driving this government, which is a move to get out of the responsibilities of governing. It’s a move to say: “We don’t really think that as a government it’s our role any more to take care of the citizens of this province. We think that we should be living in a province where, if you’re rich enough to afford to purchase the services and to pay for the services you need, then you’re fine, and if you’re anybody else, the best you can hope for is to live off the goodwill of those citizens who can afford to pay for those services.” They are taking us back a century, at least, to that kind of time that I thought we had evolved from as a society. I thought that we had grown.

**Mr Gerretsen:** Christmas card time.

**Mr Silipo:** A colleague is pointing out the Christmas card. Oh yes, we could all ponder about how that card came about. In fact, I could only send it out by putting into the card a little insert which explained how the card came about, because I would be quite frightened to send out that kind of card for Christmas. But it is very appropriate, ironically enough. My son saw that Christmas card the other day and he said to me, “Dad, this looks like a picture of the place that they send dead people to.” He said that. I said that sometimes out of the mouths of babes comes the greatest wisdom.

That is what I think this government is trying to do. This government has really very little, if any, respect for this institution, for this Parliament, for the process. What they don’t understand, and I want to finish on this point, is that by disrespecting this Parliament they are showing the greatest disrespect they can to the people of the province.

*Laughter.*

**Mr Silipo:** They can guffaw all they want, but at the end of the day, if we give up on the basic principle that each one of the 130 of us, or whatever number there will be, whatever reduced number there will be, comes to this place elected by any number of citizens—and no one is anointed; everyone who comes here is elected. Any government that forgets that, will do so at its own peril.  
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**Mr Gerry Martiniuk (Cambridge):** In this 36th Parliament I’d like to thank all the citizens of Cambridge for the honour of representing them at Queen’s Park.

For those members of the House who have not had the opportunity to visit Cambridge, I would like to share a brief history with you. The people I represent live in a thriving heritage community located in Waterloo region, Canada’s industrial heartland. Formed in 1973 with the amalgamation of Preston, Galt and Hespeler, it is a true example of how a successful partnership works.

Cambridge boasts two rivers: the heritage Grand and the Speed River. Its early settlers William Dickson, Absalom Shade and Jacob Hespeler built on their vision to create a thriving centre of commerce. The growth in manufacturing and textiles forged a city true to the vision of its early pioneers.

Cambridge is strategically located on Highway 401, no more than one hour from Toronto, London or Hamilton. Our residents have contributed to the growth of our local companies. We are proud to be the home of the world-class Toyota manufacturing plant. Other world-renowned business leaders include Allen-Bradley, Com Dev, Orchid Automation, Canadian General-Tower, and Babcock and Wilcox.

Our many service clubs and volunteer groups illustrate Cambridge to be a community of caring and warmth.

I’ve held a number of public positions in my lifetime, but none was as important to the future of this province as my mandate as MPP.

The people of this province despair at the excesses of politicians, the endless spending and mismanagement of the taxpayers’ dollars, the mortgaging of our children’s future.

All the people of Ontario deserve a sense of hope, a vision of prosperity for their future. Ontarians have given us the mandate to initiate fundamental change, change that will begin the process of renewed prosperity, the restructuring of government to deliver more for less.

The idea that the Ontario taxpayer must contribute to an endless money pit is no longer an option, and with Bill 26 I believe we have taken the essential step in delivering on our promises to the citizens of this province.

Past governments promised jobs, social security and a healthy economy by spending more and more, by taxing more and more, by borrowing more and more. We know that does not work. The NDP, the professed party of the worker, became instead a mouthpiece of the powerful special-interest groups, and Ontario suffered accordingly. To be politically correct, the result is that Ontario is now known as “financially challenged,” but the taxpayer knows we’re just plain broke.

The philosophy of, "You spend a billion here and a billion there and sooner or later it adds up to real money," has come true—\$100 billion worth of real money, over \$4 billion of new interest payments created by the former government. What could we do with \$4 billion? We can only dream: thousands of additional day care spaces for our future leaders, shorter lineups in our health care system, additional care for our seniors who built this province. But we can only dream.

The people of Cambridge have sent me to this House to do a job. They want responsible government, with spending under control, and the debt off their back. They voted for prosperity and the creation of meaningful employment. They dreamed and hoped that finally there would be a government which would reciprocate their trust, a government which meant what it said and would do what it meant.

Too often in the past, political promises were only the means of getting elected, a means of cheating the public once again. Day after day I sit in the House and listen to the opposition parties while they say: "You don't have to keep your election promises. We didn't, and no one expects you to."

**Mr Duncan:** On a point of privilege, Mr Speaker: The member is attributing words to members on this side of the House that were never said.

**The Acting Speaker:** I don't think that members understand what a point of privilege is all about. It's a very serious matter, so don't use it for any reasons, please.

**Mr Martiniuk:** It's about time we stopped the old style of politics, as just illustrated across the hall, and gave the people good government.

I expect our plan to be implemented—not part of our plan, not most of our plan, but all of our plan. The Common Sense Revolution is a blueprint to create jobs. It's not just a red book of election promises. Each part is necessary, and the whole is dependent on each facet. We will balance the budget. We'll end barriers to job creation. We'll create meaningful jobs and attract investment to Ontario by lowering income taxes to the lowest in Canada.

The opposition still does not seem to understand the absolute requirement of lowering taxes to attract investment and jobs, the necessity to create demand in the private sector.

Day after day, the opposition accuses us of giving a tax break to our friends, the rich. Well, I'm privileged to have friends like that. Statistics Canada defines this illustrious group that the opposition calls the rich as: the workers in community, business and personal service, who make an average of \$26,085 per year—the rich, according to our friends; the workers involved in trade and commerce, who make an average of \$22,475—again, the rich, according to the opposition; the workers in finance, insurance and real estate, who make \$36,609—another group of my rich friends; the workers in construction, who work very hard and make an average of \$34,074 a year—the rich, according to the opposition.

These are the rich that my friends across the House have abandoned. These are the rich that the opposition punished with more than 65 separate tax increases over 10 years. These are the rich who, for the most part, have not received a raise in pay over the past five years. These are the rich men and women who are working harder than ever to pay taxes, rent, mortgages, transportation and food, and provide for their children's needs. These are the hardworking people here in Ontario that the opposition has abandoned. These are the people who will put their tax saving back into our communities to start the engine of Ontario once again.

For our part, we will look at every program to make sure it is in the public interest, that it is necessary and cost-efficient. We will make sure that every tax dollar is spent wisely, that the people of Ontario get value for their hard-earned money.

Through the introduction of Bill 26, the Savings and Restructuring Act, we will ensure that the people of Ontario are not shortchanged. After years of government living beyond its means, Bill 26 acknowledges what past governments have ignored, that there is only one taxpayer.

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The people want less bureaucracy and a new working relationship with our transfer partners. Our partners in government are ready and on side. They have requested the tools to make change a reality. The days of expensive and centralized management are over. Our municipalities, school boards, hospitals, colleges and universities have told us they welcome a chance to share in our restructuring plans. Our partners in the region of Waterloo are anxious to get down to the business of developing solutions to the challenges we all face, to find the efficiencies and cost reductions necessary to achieve their goals—a made-at-home solution, not a Queen's Park solution, back where it belongs in our local communities.

It is never easy to restructure an organization. Change is always resisted. The human cost must always be considered. However, we cannot hide, ostrich-like, from the debt problem. We owe it to our children and the people of this province. We will reshape our province with innovation and real partnership. We will give a better Ontario to the next generation. That is our legacy of hope.

I would be remiss, however, if I did not comment on some particular points dealing with the health portions of Bill 26. I sat in the House today and heard the Leader of the Opposition accuse the government of changing the way health care is delivered in Ontario. I'm pleased she finally got the point, because we cannot continue our present course if we want to protect and preserve our health care system. We must look to new and innovative ways to make the system better and more efficient.

We also have to take steps to eliminate fraud. For too long, Ontario has been the emergency ward of the world. It's about time we started servicing our own citizens first.

The opposition has criticized the elimination of the RFP process in exceptional circumstances, such as a hospital changing itself to ambulatory care. I sometimes



wonder about this love for red tape, creating bureaucratic nightmares for hospitals to go through restructuring. It's about time we cleared the way and gave the hospitals the tools to get things done as they should.

One of the most frightening things is this love affair the opposition has with architectural monuments. We're talking about hospitals, that if you close a hospital, in some manner that will affect health care. I believe it will affect health care; I think it could well affect health care for the better. We are spending crucial health dollars on architectural upkeep. Those dollars would be much better used to provide health care services to our citizens, not to preserve half-full buildings which are no longer useful for the purposes of the health care system.

Mr Speaker, I thank you, my colleagues and the opposition for listening so attentively.

*Applause.*

**Mr Tony Ruprecht (Parkdale):** It is indeed interesting to see that the member for Kitchener is being congratulated for the speech he made, but I was listening to the speech very carefully and I have just one observation to make.

**Mr Chris Stockwell (Etobicoke West):** Hey, Dr Ruprecht, how are you? It's good to have you back.

**Mr Ruprecht:** It is not a proud day in this Legislature—I'm looking at the member from Etobicoke as well—when we throw mud at each other, because some of it will stick. I know the member probably didn't mean what he said while he was speaking in this House. I simply recommend to him that if he has allegations to make, he should do that and mention names as well.

The second point I want to make about his speech is that he was saying the days of centralized government are over. I'm not sure the member understands what centralized government means. The very reality in this House just a few days ago was that this opposition, for the first time combined in the last year, tried to stop this centralization of this imperial presidency or this imperial cabinet. That is the issue.

Just look at some of the quotes we find everywhere in the press today, that this bill "proposes to revolutionize the way government is carried out in Ontario—not by reducing state power but by increasing it and centralizing it in the hands of cabinet." That is Thomas Walkom from the Toronto Star, and that is precisely what this document is going to do.

This opposition will not rest until the mistakes we find in this document, which you have admitted to—you have admitted to making mistakes, and we're simply saying you should 'fess up to the mistakes you are about to make.

If you want to be honest with us, you will agree to make some changes. Look, for instance, at what it says on page 49 about the Minister of Health. It says, "The minister may direct the board of a hospital to cease operating as a public hospital on or before the date set out in the direction where the minister considers it in the public interest to do so"—in short, imperial powers given to the Minister of Health.

While all the people on the government benches right now are very happy with what they've done, I might ask

them this question: Have you been consulted? Has the member for Etobicoke West been consulted?

**Mr Stockwell:** Yes, I have. I just didn't answer the phone.

**Mr Ruprecht:** You are the last person they're going to consult. In fact, they have never consulted you, and they might not even consult you in the future. That is your particular problem, my friend.

In any case, I certainly had the idea when I was with the Peterson government that we were consulted. When we were there, we were consulted. I'm asking the members opposite, have they been consulted? Were you consulted about this document that you crow about so proudly? You have not been consulted.

Every one of you who is standing tonight and saying, "This Progressive Conservative government wants to get this House and our economy back in order, and we are proud of this document," should be thinking twice about whether you want to continue with Bill 26, because Bill 26 has flaws in it, grave errors in it. The biggest objection we have is that it gives the power to the cabinet which none of us backbenchers, none of us in the opposition, would ever dream of taking on.

Do you want to hear something funny? Let me quote something that will be of great interest to every member of this assembly. Do you want to know what your friend Jim Wilson, the Minister of Health, said on July 26, 1993? Listen well. This is what he said just two years ago, when he was in opposition, about Bill 50, passed by our friends from the NDP:

"This bill allows the government to take unto itself unprecedented powers. If I were the Tory minister and tried to bring in legislation this draconian, the NDP would be hanging from those chandeliers. They would absolutely want all of our heads on a serving plate. They would be screaming."

Today, we have the shoe on the other foot. That's precisely what it means, that Mr Jim Wilson, Minister of Health today, is going to have his cabinet colleagues singing from this particular hymn book when he says, and I continue:

"What I also found ironic in the minister's own remarks," and the minister was Ruth Grier, "is her saying, 'Well, we may not ever use these wide-sweeping powers we're taking unto ourselves, the ability to make decisions behind closed cabinet doors....'"

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Who today is making decisions behind closed cabinet doors? It is the members of the Conservative cabinet making these decisions. The member for Dufferin—Peel, who is normally sitting in this location, said to us today that the opposition wanted to stop the government from restructuring this economy and this province. Nothing could be further from the truth. What we wanted was to make the Conservatives stop and look at Bill 26 and, as Jim Wilson says, the draconian powers and measures you are relegating to yourselves.

What is it we wanted them to stop? I'll tell you what it was. Look what they wanted to do: hospitals, cuts of \$1.3 billion; Ontario drug benefit plan, cuts of \$225

million; elementary and secondary schools, \$400 million; colleges and universities, \$400 million; municipalities, \$658 million. What does this mean?

In terms of health care, \$1.3 billion in cuts will mean longer waiting lists for services such as surgery, coronary care, cancer treatment, and hospitals will have no choice but to cut staff, eliminate nurses, physiotherapists, orderlies, maintenance staff, facilities and equipment, and it will all be rationed.

What does it mean in terms of the Ontario drug benefit plan? It would mean that the poor and elderly will have to pay for needed medicines. Is that what you want, that seniors on a fixed income of just over \$16,000, needing about 20 prescriptions per year, will end up paying over \$200 in new costs? According to the Minister of Finance's staff, up to 1.3 million seniors will be affected by this new fee. Is that what you want? Is that what we want you to stop?

Look at the school boards. School boards will be faced with the choice of cutting teachers or raising property taxes. Faced with the difficulty of raising taxes, the number of children in every classroom will go up. Are you proud of that?

Colleges and universities are being told to deal with their 15% spending cuts by forcing students to pay more, of course. Students, who are paying an average tuition rate of \$2,000, will have to pay up to an additional \$400 a year.

What about municipalities? Municipalities facing a 40% reduction in provincial spending under core municipal funding programs will have to cut services at community centres, services in parks, services that they provide today in terms of swimming pools, libraries, child care and senior homes, as well as policing, roads, water, sewers and so on.

We simply say to members in the government, have a look at this. Take your time and look at what you're about to do, because you're about to create major mistakes for the province of Ontario. Have a look at what the privacy commissioner says about Bill 26. What does he say to the Minister of Health? He says you are about to commit a grave mistake.

That's what Ontario's Information and Privacy Commissioner, Tom Wright, says. He says that under this provision, the fact that you saw a doctor, what you said, what tests were done, all that information, would end up on a bureaucrat's desk at Queen's Park.

The member for Kitchener said centralization will come to an end. My foot, centralization will come to an end. In fact, you are creating more centralization with Bill 26.

Do you want me to tell you another mistake? Look, for instance, at what the Toronto Fire Fighters Association is saying about Bill 26. They're saying that the firefighters have concerns with various provisions contained in Bill 26.

It is clear what we have before us is a monumental revolution. It is not the revolution that Mike Harris talked about in the election. It is a revolution in terms of centralizing powers in the hands of a few people. That's

why my friends are shouting across the hall, "Dictators, dictators." What you are about to do is centralize this government and provide more powers to a very few people. My friends, if you want to have a better Ontario, Bill 26 is not a good way to go. Scrap it and clean it up. That's what the people want you to do.

**Mr Bisson:** I've got a few minutes, and I would like to make two basic points about Bill 26. The first has to do with the question of democracy, or the lack of it, in our province since this government took office, and the second part I'd like to be speak about is the whole picture of the economic crisis that the government paints every day, at every opportunity, to convince Ontarians that they have to swallow this very bitter pill.

I remember being a member in this House in the last Legislature. The Conservative Party of Ontario went out, as they said, and consulted across the province to hear what people had to say about a number of issues around what they would do if they were to come to power in 1995. I remember listening in this House to the then leader of the third party, Mike Harris, and a number of other members, some of whom are now in cabinet and others who didn't get there: my good friend Mr Stockwell—good quality; can't understand why he isn't there—and a few others.

I remember one thing they kept saying was that when they came to power they were going to be different. They were going to show Ontarians that if they were elected, boy, would they be different. They would keep their word and they would have all the wisdom to bring to the Legislature and they would make this a very different place. That they came through on; it is a different place.

We have a party that has come to power, and if you take a look at what they've done since being here, they're doing what any good revolutionaries do when they come to power; that is, to consolidate power. If you look from September or October on, especially since the Legislature returned, this government has systematically, piece by piece, started to consolidate power around themselves so they can control the reins of power and how that power is applied to the people of this province.

I would think one thing about the Conservative Party of Ontario. I, like many people, have listened to the Conservatives for many years across this province and this country, and one thing I always thought the Tories stood for was a system of democracy by which people participated. If anything, they've seen themselves as the defenders of democracy. We've watched their mantra through all the various leaders they've had up to this point, but it was always very clear that if the Conservatives came to power and they were in power, they were the party to speak out for democracy.

But we're seeing quite the opposite since this bunch has got to Queen's Park. We have seen through the introduction of Bill 7 a systematic, all-out attack on working people in this province by taking away their rights, not only those we afforded under Bill 40 when we were in government, but rights workers had fought for and attained through successive Tory, Liberal and NDP governments. They weren't satisfied, this Conservative



bunch, to go back to 1992 or 1993. They brought labour laws in this province back to the 1940s, in some cases.

You have to ask yourself, why are they so intent on doing this? I think it's a couple of things. First of all, there's a distaste for unions in that party and a distaste for anybody who organizes under a collective agreement. But it's more that they really do believe that because they consulted the people for one year, they've got all the answers. They're the only ones who know, they're the only ones who can do anything because they supposedly consulted with the people of Ontario, and because of that, they will put in place all the legislation they need to have their way with this democracy.

I warn the government members well that the people of this province are starting to speak out. We saw today a number of people protest the government by way of protests in the city of London—not that they wanted to do that. The people and the workers in London have better things to do, quite frankly, but this government has pushed them to the point where they're saying, "If we have no other mechanism to get our voice into Queen's Park and to Mike Harris and the ministers of this government, if they're not going to allow us to do anything else, maybe we have to try to get their attention in other ways," in ways that workers maybe would rather not do.

2200

I was part of a protest in the city of Timmins last Saturday, where I saw in my community for the first time, as far as I can remember, a protest down Third Avenue by not only working people in terms of unions, but social poverty groups, and the rape crisis centre was there, the aboriginal community was there through the various organizations, and people in the community.

We were about 300 people walking through the city of Timmins protesting what Mike Harris was doing, not so much the cuts but the arrogance of the government in not wanting to listen. I watched the reaction of the people in my community to the marchers as they walked down Third Avenue. By and large, everybody was saying, "Right on," because they expect and they understand that the government has the right to govern, but what they don't accept is this all-out, blatant attack on democracy that this government is taking out on the people of Ontario. That they cannot stand for.

If the Tories were to do anything—we accept that you have to deal with the fiscal realities of the province. We differ from how you're going about doing the restructuring. I would say you're not even restructuring; you're allowing the cuts to restructure. You don't believe in the programs you're cutting anyway, but that's for another debate.

But the one thing that will not sit well with the people of this province is the taking away of people's democratic rights in the systematic way you're doing now. That is your undoing. I'm not saying that will be; I'm saying that is your undoing. The people of this province are looking at Mike Harris and this government and saying, "Boy, oh boy, what did we get ourselves into?"

I watch the backbenchers say, "I go back to my constituency on the weekend and everybody pats me on

the back." Don't kid yourselves, not whatsoever. I had the pleasure of driving down here these last two days—it took two days to drive from Timmins to Toronto because of the snowstorm we had—and had an opportunity to be rerouted by about six hours through a whole bunch of communities on the east side of Orillia. One thing you're able to pick up in the mood of the people as you stop and talk to them is that people are worried about what this government is doing to their democratic rights. So I warn the government on that.

I was listening to Radio Noon on the way down here. I am a great fan of the CBC, and unfortunately, first the Tory government federally and now the Liberals are doing all they can to dismantle what is a fine institution in this country, one of the institutions that bind us. One of the things they were talking about is, "What do you have to say as Ontarians about the protest in London?"

I would say the calls were fairly balanced. About half were in favour and half were against. The ones in favour were saying, "I'm upset," about this, that or the other thing, and they were talking about democracy and all that. What really distressed me was the reaction we were getting on the radio from people supporting the government. They were saying things like: "We should fine those people for being out there walking in the streets. We should fine them for protesting their government and taking the democratic action of getting out on the streets to protest."

That distresses me, because what you've got is what my friend from Dovercourt talked about before, that if we allow you to have licence it will come to the point of what was talked about on Radio Noon, of fining people because they're exercising their democratic franchise by going out and protesting the government legally in the confines of what the law allows.

**Mr Stockwell:** Legally. They're just not working.

**Mr Bisson:** The member from Etobicoke says it's illegal. I disagree with you.

The point I'm making is that a message is building on the part of the Tories and their supporters that somehow or other we shouldn't be listening to those people out there who are opposed to what the government's doing: "They're not real people. We don't have to listen to them. We should try to find ways of limiting their ability to protest."

I say that's not what democracy is about. Democracy is about allowing both sides to have their say, and if you're a government you have the responsibility to listen. You may or may not take action, but you have a responsibility to listen to what the people are telling you through the processes that have been set out through this Legislature and set out through our Constitution and our Charter of Rights. If you as the government are refusing to listen to the people of the province through those processes, I say you do not have the right, first of all, to do that; and second of all, shame on you. The people of Ontario will remember that, and this era of four or five years that you'll be in power will be seen as a black mark on the democracy of this province.

One other thing I would like to say on the democratic side: I listened to the gall of the backbenchers of this House, who weren't here the last time, to sit here and to chasten the opposition parties for some of the tactics that we have taken in opposition to what this government is doing. I've listened. They talk about how shocking and shaming. Where were you in the last five years, from 1990 to 1995, when your leader, Mr Harris, stood in this House and held up the business of this House time and time and time again because he did not agree with what the government did? I didn't like it as a government member, but I understood that the opposition members had the right and I would say the responsibility to speak out on those issues when they felt their constituency needed to have a voice come into the Legislature. For you to stand in this House and say, "Oh, I'll tell you, it's terrible. I watched the antics of the opposition; they're out there and they're getting upset, and you're doing all kinds of things," I say shame on you.

I watched Mike Harris name names of lakes in this House for weeks on end because he didn't agree with the first budget that our government brought down. But in the end the Premier of the day, Bob Rae, to his credit, listened and said: "Listen, we've got nothing to hide. We're not afraid of the people of Ontario. We understand Ontarians have the right to listen and have the right to be able to express themselves." We sent the budget out to committee and we allowed the people of Ontario to speak on that bill. And I'll tell you, that is what any person who's in charge of a democracy should do. That was unprecedented. That had never been done before.

The problem with you guys is that you believe you have the unfettered right to be able to govern, to make all the decisions and to be damned with the opposition. I say here, I make no apologies for what I did on Wednesday, and Thursday in the a.m. If I had to do it again, yes, I would, because in extraordinary times sometimes extraordinary tactics have to be taken, and I make no apologies to the government.

I don't like the idea of us having to do it. I would much rather see a situation where the government House leader was to keep his commitments to the opposition House leaders and work things out the way they should be worked out in this House. But if you as a government are not prepared to listen to the people or the opposition, it is our responsibility as an opposition party, along with the Liberal Party and the NDP, to be able to point out where this government is going wrong and where it needs to slow down and listen to what the people are saying.

On the economic side, I would like to make this point: I listened quite intently as the government, since being elected and taking power, talked about the crises that are around this province. They are building this crisis around the debt.

**Interjection:** "Crises."

**Mr Bisson:** Exactly. I was corrected on my English by my friends over here. They are saying that they need to be able to deal with this because of the crisis that exists in Ontario in regard to the economy.

If you notice, there was a pattern. It was first, I think, the Minister of Education and Training who did a video

that he distributed far and wide to all the bureaucrats, the head bureaucrats within his ministry. He said: "You know what we need? We need to be able to develop a crisis in education so that we can go in and make the sweeping changes that we want." Paraphrased, that's what he was saying. Since when does a minister of the crown have to resort to the point of having to create a crisis in order to reform?

It tells me that this government is not really preoccupied with dealing with the deficit. That's not what this is all about. This government is intent on doing away with the social fabric that this province has taken for granted for the past number of years. Yes, there need to be changes to our programs, nobody argues that, but this government frankly does not believe that if you're sick, that if you're old, that if you're unemployed, you have a right to be able to demand services from the province of Ontario. That's what this government doesn't believe in.

I go back to the discussions that I've had with many good friends in my riding who are very strong Conservative supporters. They say to me things like, on the health care side—most of them are red Tories, quite frankly. They're not embracing the Mike Harris agenda. I can tell you that.

"Listen, on the question of health care," the Conservatives say, "why should I pay my tax dollars in order to take care of somebody else because they happen to get sick? I should pay for my own health plan and take care of myself." They fundamentally don't believe that society has an obligation to each other to be able to make sure that we design the system that is efficient, that works well, that takes care of people in time of need. They don't believe in that and they're using the deficit as an opportunity to be able to undo the social programs that have been built up in this province over the past number of years. That's pure and simple, and if you look at Bill 26, it is an extension of that whole premise that is here in Bill 26.

2210

There are a number of things. One thing I would agree with, just to go through here: On schedule F, they say on the health care sector they're going to create what's called the restructuring commission. I agree with that. That's not a bad idea. You have a commission that's outside of government to look at how you redesign your hospital system so it reflects the 1990s and doesn't reflect possibly the 1960s or 1950s when those particular hospitals were put in place. I don't think anybody on any side of the House has a problem with that.

But what they go on to do is that they're giving the power under the same schedule, schedule F of the act, to be able to say that the minister himself or herself has the power to close down a hospital if they so choose. The restructuring commission doesn't have that power; it's the minister who has it. And if the minister decides that he wants to give an order to a hospital and the hospital is not carrying it out, he or she as the minister can appoint a supervisor who will go in there and carry out the will of the minister.

When I look at that I say: "Jeez, that's pretty extraordinary power to be giving to any one individual. Why is it



that they're doing this?" Well, you go around to the bill and you take a look under schedule H, and schedule H says you can allow the privatization of our health care institutions. Quite frankly, you're removing a component within schedule H of the act that was provided, I think it was, under the accord in 1985-86 between Peterson and Mr Rae where we said we will give preferential treatment to Ontario institutions, that we put our public dollars into institutions that are run out of Ontario when it comes to health care. You're throwing that out of the window.

**Mr Ford:** That's why it's breaking down.

**Mr Bisson:** The member says that's why our health care system is breaking down. That's how little you know. Our health care system is the most effective health care system in the world.

**Mr Ford:** I was in the hospital watching you guys destroy it.

**Mr Bisson:** Listen to this guy. Unbelievable. That's the point. They don't believe in our health care system. Under the American system, first of all, if you've got no money, you don't get in, but if you do have money, you blow your life's savings because you happen to get sick. The worst part is, it's a heck of a lot more expensive to run as compared to the Canadian system.

But you take a look at what this government is doing under Bill 26. They are extending through Bill 26 the undermining of our health care system so that they can put forward the argument four, five, six, seven years down the road that our health care system really doesn't work and maybe then we should turn it over to the dogs or turn it over to whoever's going to run it.

I say, shame on you. Our health care system was built over a period of years. That's the one thing that I thought all of us at one point had agreed to in this Legislature. You people don't believe in it. You're undermining it. And they have the gall to sit in this House and to say: "Oh, you know, we believe in health care. We're going to protect it." They ran in the last election and they said: "We're going to protect health care. We're not going to take a penny out of the health care system." They said health care, under the Common Sense Revolution, law enforcement, classroom funding won't be touched, but many other programs will be affected.

They made a solemn promise that they were going to protect health care. That's one of the reasons that people voted for you. Because, quite frankly, they looked at the Liberals and they looked at us and they said, "We're not so sure they're making a strong enough promise on protecting the health care system." And people voted for you on the basis, one of the bases, of protecting the health care system. Now, \$1.2 billion out the window. How do you call that protecting? How do you call that protecting the health care system? It is a shame what the government is doing.

So I would say, in the couple of minutes that I have left and in closing, what we see happening here through Bill 26 is we have a government which is like every revolutionist that has ever existed. Once taking power it is consolidating the power around themselves. And they're saying: "Once we've accumulated this power and

we have all of the levers that we need, we will just tie ourselves down in our bunker. We will keep our heads low for the next four years and we will make all the reform that needs to be made." At the end of the four years, your belief is that Ontarians will be better for it and they will re-elect you to another four-year term.

I'm here to tell you today, it ain't going to work. Why? Because it's absolute stupidity, it is mean-spirited and it will not lead to better economic growth in this province. Most of all, it will undo the very fibre that puts this province where it is as one of the leading economies in North America and probably one of the safest places to live. If we have a province that's safe and secure, it's because we as Ontarians over the years have said we will care for each other, we will design a system that makes sure that when people are in bad luck or people are sick or whatever it might be, we're able to care for them, that we will have safe communities by providing a good system of welfare, a good system of policing, a good system of health care, a good system that takes care of people in time of need so that they're not out on the streets jeopardizing not only their own safety but the safety of fellow citizens in our communities.

What you see here today and what you're going to be seeing unfold over the next number of years is that this government is going to be undoing and taking apart the very fabric of what this province is all about. I say to you that in four years' time you'll be lucky—you'll be quite lucky, quite frankly—if you can have a caucus as big as Brian Mulroney's caucus is now in Ottawa.

I would only close on this point: We, as members, send Christmas cards to our constituents in our ridings, and for whatever particular reason this year, without the choice of the members themselves, we got sent these particular Christmas cards that show basically the Legislature at the time of the war when they were taking the wrought iron gates out of the front in order to be able to give iron to the munitions of the province. But it gives you a very solemn picture. Quite frankly, I feel a bit uncomfortable sending them. I'm sending an explanation with my Christmas cards this year, because I've got no other ones to send. These are the ones that I was given. But I think it goes to show to a certain point the despair that the people of this province are starting to feel and how they feel the future of this province will look under a Conservative government.

**Mr Ernie Hardeman (Oxford):** As I rise in the House today, I want to say it is an honour and a privilege to be in the Legislative Assembly representing the people of Oxford. During the days leading up to the June 8 election, the people made it clear they were voting for government committed to major change.

The people of Oxford elected me because of the Common Sense Revolution, and I'm proud to be part of a government prepared to make changes during this critical and historic time. Many of those changes are under way and I'm proud to be part of those changes through my role as parliamentary assistant to the Minister of Municipal Affairs and Housing. Through this position I've had the opportunity to visit many different areas in

this province and discuss the changes with the people and receive their views.

I would also like to pay special tribute to those members who preceded me in representing the people of Oxford with dedication, dignity and distinction. One of those members, Dick Treleaven, sat as a member of this Legislature from 1981 until 1987, during which time he also acted as Deputy Speaker. His predecessor, Mr Harry Parrott, represented the people of Oxford for three terms from 1971 to 1981, and during his decade in this House he also served the people as Minister of the Environment and Minister of Colleges and Universities. The two most recent members were Kimble Sutherland, who served from 1990 to 1995, and his predecessor, Charlie Tatham, who served from 1987 to 1990 and who continues to serve at the local level as an Oxford county councillor. I hope I will serve the people of Oxford with the same dedication as these former members.

**Mr Gerretsen:** We all do, Ernie.

**Mr Hardeman:** Thank you.

Let me tell you a bit about my riding. Oxford is a growing and viable community west of Toronto in the heart of southwestern Ontario. It stretches north to Tavistock from the edge of Tillsonburg in the south, and then spans from Canning in the east to Thamesford in the west, with Woodstock being in the centre of the riding.

Oxford is the dairy capital of Canada and is rich with some of the best agricultural operations in Ontario. We have more class 1, 2 and 3 agricultural land in Oxford than in the province of New Brunswick. We have world-class dairy and swine breeding operations, corn, beans, fruit, vegetables and specialty farms, including deer, goat and emu.

We are not only an agricultural community. Oxford has a very strong industrial and technical sector. We are home to CAMI Automotive in Ingersoll, the largest single employer in Oxford, employing 2,400 workers. The plant produces 200,000 cars a year. The spinoff industries from this plant employ hundreds, maybe thousands, more, as dozens of automotive manufacturing plants in Oxford are direct suppliers of CAMI and other large automotive plants in both the US and Canada.

Oxford's proximity to the 401 makes it an ideal location to do business, while its small-town feel makes it an ideal place to live and raise a family.

Oxford has also been a leader, and that is why I am happy to address the amendments relating specifically to the Municipal Act introduced in Bill 26.

It was 20 years ago that Oxford underwent a voluntary restructuring of the county system. The county undertook this restructuring in 1975 because of the fear of regionalization. There was no mandate to do it from the provincial level, but Oxford realized it was important to become more efficient and more financially responsible to its taxpayers. It took five years for Oxford to go through this restructuring process.

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Today, many municipalities don't have the same five years, because fiscal realities have caught up with all of us. That is why our government is giving municipalities

the tools and the ability to deal with local realities now: to expedite the process, to cut down on the amount of government and to become more cost-effective.

Now let me say, while many municipalities have been asking for the ability to make these decisions themselves for many years, solutions and change do not affect all municipalities the same. To some, tradition and history outweigh the need for change. But municipalities and local governments also understand that the time for reform has come; in fact, it's long overdue.

They know that it's time to eliminate waste and duplication in their local structures. But current legislation prevents municipalities from making changes to their structure because the required unanimity cannot always be achieved. What this means is that under current legislation 100% consent by affected municipalities is needed to implement restructuring.

There have been numerous studies, reports and other papers written on municipal restructuring, and most of that work is just lying on a shelf because present legislation does not allow the implementation by the rule of the majority. Our government's new legislation will allow this and allow the spirit of cooperation to flourish in local initiatives to become more cost-effective and more accountable to local needs.

In the past five years alone, 10 county studies were undertaken at the request of county councils. Only one resulted in restructuring, because of the lack of direction and assistance from the provincial government.

In Simcoe county, a few years back, four municipalities—Alliston, Beeton, Tecumseth and Tottenham—joined together to form the new town of New Tecumseth. In recent discussions with the mayor, it was indicated that the province initiated this process. Since joining together, general government spending has been reduced and there has been a major downsizing of local government.

During the process, the former municipality of Tottenham was opposed to the merger, but today all involved acknowledge that the new, leaner administration is better and more adaptable to the future.

While critics of that process may say that the four distinct areas lost their identity, they are mistaken. While the size of local government has decreased, the local communities continue to thrive. The local ball teams, hockey teams and service clubs continue as they have in the past. This was a positive move working through the cooperative efforts of the communities involved.

There are other efforts that did not work as well. Another top-down process was the amalgamation of parts of Middlesex county and the city of London several years ago. This effort threw both communities into turmoil as the city had to deal with new schools, communities, businesses and industries within its midst, while the county, on the other hand, had to cope with losing distinct parts of its community.

Had the decision been made by the local governments and the process worked out at the local level, this change may have been expedited and both parties may have more quickly dealt with the changes caused by the effort.



This new legislation will allow the municipalities to decide how their restructuring process will be undertaken. The amendments streamline the process for municipalities wanting to restructure. It gives them more authority to make decisions and allows them to develop a plan without ongoing interference from the provincial level. While the government will still issue principles to guide the process, the local decision will be final.

These examples show that not all municipalities will have the same vision when they look at restructuring, but local initiatives often lead to positive and successful conclusions, although, if a local initiative ends up in a stalemate because there is no local solution, a commission could be set up to help come to an agreement.

This commission is to be independent and is to be appointed by the minister. It would be set up to help in a local initiative if it is requested by one or more of the municipalities involved, or if the minister is petitioned by local residents to do so. This commission will help municipalities develop and implement restructuring proposals, but, again, the power is left at the local level to initiate this restructuring. The restructuring could mean moving to a system of single-tier government, such as eliminating one level of government in the county system, or it could be a full-fledged cooperative effort of a number of municipalities.

Allowing municipalities to dissolve special-purpose bodies will also help free the municipalities to manage their budgets more efficiently and to give the local governments the autonomy to decide what the local priorities are. A large number of these special-purpose bodies tie the hands of local government. Ratepayers support these special-purpose bodies financially but, in most cases, do not have a right to choose who is appointed to sit on these boards or in the decisions that are made. Some boards which could be dissolved include licensing commissions, parking authorities or transit commissions.

The province is finally giving the municipalities the tools they need to reduce their own government bodies, to cut the size of government. It's what municipalities have been requesting: the power to make and implement local decisions and directions, to decide what services are needed in their own area and to provide them.

Municipalities are already taking a close look at the priorities in their individual areas and now they will have the opportunity to take a new look at those services and how they are offered and provided. The amendments allow municipalities the opportunity to make decisions about how public utilities are provided without the expense of a referendum. It gives them the flexibility to determine if they are able to provide a service in a cost-effective manner or whether it would be more cost-effective for a private sector company to offer the service. In many cases, people don't care who provides the service as long as it's provided.

This is something that municipalities have been asking for: the authority to prioritize within their local areas to decide what the local needs are. With this legislation, we will do exactly that: give municipalities the ability to make their own decisions on what to offer, how to offer it and whether or not there will be a fee attached.

Already in my own county, municipalities are charging \$1 a bag for garbage pickup. It is an affordable way to help pay for the service. As well, it gives residents the incentive to recycle. This is a service that many people can afford and don't object to paying for. The amendments give the municipality the flexibility to exempt the people who can't afford to pay a user fee.

Not only does this give municipalities the ability to offer their residents the type of services they want; it gives them the freedom to decide about their future. This is just another example of how these amendments will give municipalities the tools they need to do business more efficiently while assessing the ongoing needs of their residents.

Long-overdue amendments to the licensing act give local governments the ability to recover their costs for administration and issuing of licences through realistic fees. In the past, it has cost municipalities hundreds and thousands of dollars to enforce and administer the issuing of these licences without any hope of recovering the costs. In the past, there was a list of certain retail and trade operations that the municipality had the ability to license; under these amendments, this list is now gone.

Municipalities will have the authority to license any retail or trade operation they determine necessary and then charge a fair price for the licence. This measure will apply to one level of government, most likely the local government. In most cases, the lower tier will issue the licence. I'm happy to see this change. The time has come for taxpayers to stop having to carry the cost of monitoring these businesses and paying for enforcement of their infractions.

As well, giving the municipalities the ability to distribute responsibilities between upper and lower tiers has been long awaited at the local level. Putting the power to decide local decisions at the local level will help wipe out duplication and help make each one more cost-effective.

Changes to the Conservation Authorities Act put the power for deciding property tax levies back in local hands. Under the amendments, the amount of property tax levies flowed back to the conservation authority is limited and can be raised only with the consent of the municipalities. It is a commonsense change putting the flexibility to decide what is important locally in the hands of locally elected officials, the people who were put in that position to make the decisions on behalf of their residents.

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Also, revoking the provincial appointments to the board leaves the ability with those the local people elected to the authority. It also takes conservation authorities back to their roots—conservation. They will now focus on two key areas: flood control and the protection of provincially significant wetlands.

These changes reflect our government's refocusing of its interests and the need to rationalize the programs and services it delivers. It also provides municipalities with the flexibility to decide what programs are important to them and then to determine how to best deliver them, how best to serve their community.

These amendments give the municipalities the opportunity to look forward with a vision, with creativity and

with the power to make the decisions for the unique and diverse areas and regions of Ontario.

**Mr Bernard Grandmaître (Ottawa East):** Mr Speaker, I don't know if you've noticed, but the Sergeant at Arms was talking to me very peacefully. He didn't have to take me out of the House this evening; we're on speaking terms.

Now let me get into my speech. I'm delighted to spend the next five or six or seven minutes to talk about Bill 26. Let's get down to serious business.

I think the economic statement of the government was a brutal one, a brutal one because, first of all, I think people in the province of Ontario, and also the opposition, realize that the government has a right to introduce its own economic statements, and even budgets, and govern the way it likes to govern, but the way this bill was introduced, no wonder that people in the province of Ontario are claiming that politicians have lost all credibility—for the simple reason that, as you know, we were locked in while we were being briefed on the economic statement, and to our surprise, when we came back to this House, Bill 26 was tabled. And to our surprise, none of our members from the Liberal Party or the New Democratic Party had a chance to even speak to the bill.

Again, I want to say that 55% of the people in Ontario have voted against the Tory Common Sense Revolution. I've read it a number of times. I've even made a few copies of the Common Sense Revolution and had my friends read the Common Sense Revolution and also advise me. Most people, good Liberals, agree with some parts of the Common Sense Revolution, but people disagree with the way it was introduced and the way that it's being imposed on Ontarians.

If you go through the Common Sense Revolution and go through Bill 26, they are two different documents, for the simple reason that they made some statements in the Common Sense Revolution—like health care, for instance. They were not going to use user fees. I want to remind the government of what Mr Harris said about user fees, "I define universal user fees as those which everyone has to pay, including those who can least afford them." This was Mike Harris back in 1993.

A copayment is a user fee, and I'm proud to say that the Premier admitted today that a copayment is a user fee. I think this is the first time that I've heard the Premier say that a copayment was a user fee. At that time, only a short six months ago, the Premier and his party were saying, "We will not use user fees in the province of Ontario." They've also said in the Common Sense Revolution, "We will not close hospitals."

Now they are giving the Minister of Health the power to not only control but to close hospitals. They're taking over the responsibility of the district health councils. I don't know why we will be appointing people to the district health councils, police commissions and other commissions and committees in the province of Ontario for appearance only, because the government has decided that it will impose these services and close down our hospitals.

Going back to health care, they said, "We will not cut one red cent from the health care budget," and in Bill 26 they're decreasing the health care expenses by \$1.5

billion: \$1.3 billion from hospitals and \$225 million from the drug benefit plan. If I may say so, I think seniors, disabled people, low-income people will now have to pay a \$2 fee to have a prescription filled. I've heard my colleagues saying how mean it is on the government's part to impose this kind of user fee on senior citizens who are making between \$16,000 and \$24,000 a year.

I think they've broken their promise. I know the Premier has said that he would resign if he was to break a promise; and I'm anxious, not for the next election, because it's too cold out there at the present time, but I'm looking forward to whenever the Premier admits that he has broken some of his promises.

Also what's happening with Bill 26, I think it removes a lot of power from the backbenchers. They have a good number of backbenchers, but I just would like to warn them that now four or five ministers will have the power. They will be told after the minister and/or ministers or the bureaucrats have made up their minds. I think it's very unfair. I was a backbencher for five years and I want to tell you that at times it's lonesome when you're not part of the decision-making process.

I think that ministers have a responsibility, cabinet has a responsibility, to not only welcome the backbenchers but to inform them. A lot of backbenchers were surprised to read Bill 26 because they didn't fully understand it, and I don't blame them. This bill has 211 pages and it would take 15 lawyers to really understand all the powers given to a few ministers.

I heard just a little while ago that municipalities in the province of Ontario wanted more power. Well, back home where I come from in the Ottawa-Carleton area, my 11 municipalities are very concerned about the powers given to the Minister of Municipal Affairs and Housing, especially when it comes to amalgamation, expropriation. We have gone through a major municipal reform in the province of Ontario and people are just starting to get used to some of the reform that happened a short while ago, but now the Minister of Municipal Affairs is given more power to take apart local government. Local government is all about local decision-making, and now they're removing this local government, and I think this government will pay dearly for it.

Also municipalities will be given more powers, but also they will be losing 47% of transfer payments in the next two years. Unconditional grants are gone. Now it's going to be called the Ontario support program. My own municipality will be losing \$1.3 million in the next two years, and this is unacceptable. They will have to revert to user fees, and I call this downloading. There's only one taxpayer, we were reminded again today by the Premier. It doesn't matter if it's at the municipal level or the provincial, there's only one taxpayer and I think that Bill 26 is very unfair to my people and the people of Ontario.

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**The Acting Speaker:** Further debate?

**Mr Klees:** I am pleased to be rising at this late hour to speak to Bill 26 and I want to take this opportunity as



it's the first opportunity I've had, other than to ask a question of a minister, to speak in this House.

*Applause.*

**Mr Klees:** Thank you. I want to just take this opportunity to thank the people of York-Mackenzie for giving me the opportunity to come here and to serve them and I want to say that I look forward very much to serving with my colleagues in this House, to bringing leadership to the province of Ontario and I know that there will be many differences of opinion, as I've heard over the last number of weeks. This has been a very interesting experience for me to hear that clearly we all want the same objective for the province of Ontario, but there are clearly different views of how we should get there.

I'd like to take this opportunity to speak to the issue of Bill 26. Over the last number of days there has been much said in this House about the lack of consultation that's taken place in this House around Bill 26—in fact, around the Common Sense Revolution and the policies that we're proposing for the people of Ontario. I believe it's important for the record to have the people of this province know that this government has in fact had more consultation with the people of Ontario than any other government probably in the history of Ontario. I think it's very important that the people of this province are reminded of the fact that for some five years the current Premier, then the leader of the third party, spent a great deal of time along with the caucus members who were few in number at the time, but who took a great deal of time travelling this province, not only in urban areas, but across the northern parts of this province and into the rural sections of this province to talk about the issues of importance to them.

There were a number of documents that were published over a period of five years that related to the policy issues on rural and agricultural issues, on health care, on education, a series called New Directions and there was a great deal of discussion with the people of this province in town hall meetings and in various forms of consultation leading up to this last election.

I want to again remind the members opposite that it was this party which had the courage to publish their proposal for the people of this province in a document referred to as the Common Sense Revolution, an initiative that had never before been taken by any political party in this province. And no one in this province should be at all surprised about the initiatives that we're bringing forward because it was all stated very clearly a year in advance of this election.

I can tell you that the people of this province are not surprised. In fact, the only people who seem to be surprised at the policies that we're bringing forward are members opposite because they perhaps have not taken the time to read the Common Sense Revolution or in fact to read Bill 26, because what Bill 26 represents is enabling legislation for those issues of policy that we promised the people of this province.

The other thing that the people opposite, my honourable colleagues, seem to forget is that June 8 has taken place, that the people of this province have spoken clearly and the message was that the proposals that you

brought forward during the course of the election campaign were not good enough for the people of this province and that in fact the Common Sense Revolution was what the people of this province embraced, and they have given us a clear mandate to implement that policy. In order to do that, we need some enabling legislation to put in place those policies that in fact would once again restore economic and fiscal responsibility to the province and do the many things—

**Mr Gerretsen:** You know what the problem is? You really believe that.

**Mr Klees:** —that the people in this province have called for for many years. The member opposite, because he served in a municipality as a mayor, should know that the municipalities of this province called for this kind of legislation for years. There hasn't been a government that's had the courage to deliver it until now.

As the parliamentary assistant for the Ministry of Natural Resources, I had the opportunity and the privilege to travel this province over a period of three months to talk about a very important and fundamental issue, namely, conservation authorities. The minister had asked me to meet with people across the province and I did. In fact, we met in London, we met in North Bay, we met in Kingston, and we met with all 38 conservation authorities across the province to talk about the need to restructure government fundamentally in this province. So we talked about how conservation authorities over the years had become involved in many things in this province that they were never mandated to do so originally.

In speaking with conservation authorities across the province, there was an admission that over time they had become involved in many areas that they should never have been involved in. They also agreed that it's costing the taxpayer of this province many millions of dollars. What they agreed is that together we would work to restructuring and refocusing the focus of conservation authorities so that they could return to their original mandate, which was effectively flood control management in this province. That is what they agreed would be their core mandate.

**Mr Gerretsen:** No, no, what they want to do.

**The Speaker (Hon Allan K. McLean):** The member for Kingston and The Islands is out of order.

**Mr Klees:** Beyond that, they made it very clear to us that what the conservation authorities wanted to do was have the flexibility to deliver services at the local level, to work with their municipal partners and not to have the provincial government micromanage their business. So what we have done in Bill 26 is deliver to them the tools that would allow them to create partnerships at the local level, work with the municipalities so that they could deliver those services that were most important to the municipalities at the local level. That's why, as I met with the conservation authorities two days after the economic statement, we had some very good discussions about the impact of the economic statement and we talked about how we would work with them to ensure the transition period and they welcomed that.

You know, Mr Speaker, one thing that was very interesting to me as I travelled the province and met with the conservation authorities was, for the first time, they

said, a parliamentary assistant had actually travelled the province to meet with them. No other government had ever taken that initiative. I found that very interesting.

Now we hear from members opposite, from both the NDP as well as the Liberal Party, that we don't consult. For the first time there's a government that is in fact consulting with the people and I think this is foreign and that's why they don't recognize it, because it's never been done by members opposite. We're going to continue to consult with the people of this province and to deliver to Ontario the kind of policies that they invited us to deliver on June 8.

I'd like to refer to some comments that were made by the leader of the third party, and I'm sorry that he's not here. Mind you, I suppose that's seniority. It's 10 minutes to 11 and I'm sure the leader of the third party—in fact, the leader of the Liberal Party isn't here either. For people who are so concerned, for parties that are so concerned that there be consultation and an opportunity to debate the issues, why aren't they here? Why are there six members of the Liberal Party and not one from the NDP?

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**Mr Richard Patten (Ottawa Centre):** On a point of order, Mr Speaker: The member cannot refer to that. Your leader is not here either, so what are you talking about?

**The Speaker:** That's not a point of order.

**Mr Michael A. Brown (Algoma-Manitoulin):** Oh yes, it is.

**The Speaker:** No, it's not a point of order. The member for York-Mackenzie has the floor.

**Mr Klees:** The fact of the matter is, we weren't the ones who were complaining about consultation. The point that I was making clearly was that if in fact the members of the Liberal Party and the NDP, whom the voters rejected on June 8, are so concerned about having the opportunity to debate this bill and to debate the policies that are being considered in this House, why aren't they here tonight? Whom are we playing to? We're specifically playing to the media. That's the problem. Why don't we get serious about debating the issues and get on with it and talk about some substantive issues?

Much has been said about the Common Sense Revolution by members opposite over the last few weeks. I've sat here quietly listening. I found interesting the many disparaging comments being made about this document, about a document that quite frankly is not something that was created by three or four political scientists in our party. It was in fact a document that was brought together as a result of province-wide consultation. It contains the policy recommendations, I suggest to you, of men, women and young people from across this province who took of their own personal, volunteer time and said, "Look, this is what we need to get Ontario back on track." The Common Sense Revolution is the result of recommendations made by men and women on the front lines of service delivery in our province who said, "This is what we need to get on with restoring prosperity to this province."

In spite of that—and I've been waiting this long to refer to this—the leader of the third party, someone whom I enjoy listening to, quite frankly, because he waxes eloquent—I enjoy listening to his ability to debate issues, and in my mind one of the best in this House—I was sorely disappointed on October 3, when the leader of the third party referred to the Common Sense Revolution but in that, I believe, lowered himself to a point that I wasn't expecting the leader of the third party would do. I'd like to read from Hansard, October 3. The leader of the third party said this:

"The premise of the revolution, as it's been presented to us—and we even had to go through the ritual of having the Lieutenant Governor reduced to the point of reading out a 1-800 number and then people being told at the end of the speech from the throne that everyone on the government side rededicates himself to the Common Sense Revolution, almost like a kind of fundamentalist prayer meeting in which people are being asked to come forward and bring witness and bring faith to this process.

"Well, I will say to the honourable members, I don't go to a lot of prayer meetings. I went to one when I was Premier, for the simple reason that.... I was tired of hearing from people who said the Premier didn't have a prayer. That's why I went."

I have to say on behalf of the many millions of people in the province of Ontario who take their faith very seriously that it is absolutely unconscionable that a leader of a political party in this House would take people's faith and make light of it, as he did, to make a political point in this House.

I suggest to you that is wrong. It should never happen again in this House and it should never be condoned. I suggest to you that the leader of the third party owes the people of this province an apology. I would suggest to you that it's time in this House that we got to the point where we put aside parochialism and partisanship and began to focus on the real issues that concern us and to which we were elected.

We were elected to be here to give leadership to the province of Ontario, not to continually debate campaign style, as has been happening in this House for the last four months, because I want to say to you I personally highly regard this place. There was a time when I looked forward to having the opportunity to debating the issues in this House. Unfortunately, for the last number of weeks I have had the opportunity to sit here and observe proceedings that had absolutely nothing to do with the issues, had absolutely nothing to do with debate of policy, had everything to do with posturing.

I can tell you that the word I have from people in my riding is that the people of this province are fully disgusted with what goes on in this place more times than not. I can tell you also that the things that happened in this House over the last week, under the guise of standing up for democracy, again had nothing to do with anything but politics, because the saddest hour in this House was when the honourable member refused to leave his seat when asked to do so by the Sergeant at Arms and, when he finally, after 18 hours, decided to accommodate and leave as he was asked to do, received a standing ovation



from the Liberal Party and the NDP. I can tell you that is shameful, because what was being demonstrated to the people of this province is that it is honourable and it's all right and in fact it's laudable that you disobey the standing rules of this House, you disobey the Speaker of this House and you disobey the Sergeant at Arms—that is laudable.

I had a class that day from a school in my riding who were observing those proceedings. I was ashamed at what they had to see, I can tell you, I was ashamed at what they had to observe, because their parents and their teachers have been trying to teach them to obey the law, to honour and respect this place and that we were elected to be legislators. Instead, what they observed was a circus here, and I believe that it's time that the people in this place 'fessed up to the fact that we were put here to do something and bring order to the province, not to continue to play politics long after the campaign is over, long after the people in this province have given us a mandate to govern, long after the people have said, "It's time that we got away from simply trying to spend ourselves into some sort of security but started to take on a management role." We in this party, on this government side, are committed to doing that and we will deliver to the people of this province.

**Mr Duncan:** I've observed a lot of things, and one thing we respect on this side is, and my understanding of the rules of the House has always been, that you don't refer to members who aren't present in any part of the House. We all have responsibilities in our ridings, and I think every member in this House takes their responsibility seriously. It demonstrates, in my view, the really misplaced sense of values and the callous attitude the government has towards public opinion and public debate.

Given the lateness of the hour, I thought I might address the top 10 problems that we see with Bill 26.

2300

*Laughter.*

**Mr Duncan:** They laugh across the way. You know, the members opposite, the backbenchers who knew nothing about Bill 26 when it was introduced, you're all parroting your lines very well. The member who spoke previously talked about it being in the Common Sense Revolution. It wasn't there. Maybe you did have consultation, and we acknowledge that there was extensive consultation by your party, by all the parties in the lead-up to the election, but to somehow suggest that the people of Ontario, let alone the members of your own caucus, knew what was in Bill 26 is, in our view, just to make light of the entire process and the seriousness of the matter.

Let's start with the Minister of Health given the full power to close or amalgamate hospitals and terminate services that individual hospitals provide. Now, the government says that is in the interest of restructuring and rebuilding. Well, let me tell you, over the course of the last three years communities such as mine have found the wherewithal locally to restructure hospitals. We've gone from four acute care hospitals to two. We are reducing the number of acute care beds from just over

1,200 to 800. That effort involved hundreds of people in our community. It was undertaken with non-partisan support and it resulted, we think, in a workable document. Unfortunately, this government has refused to reaffirm the commitments that were made by the previous government with respect to reinvestment in non-hospital-based services.

The Minister of Health is given the power to take over the operation of a community hospital by appointing a hospital supervisor who will have all the powers of a hospital board. We can trade cheap political shots, as you've done tonight. You make fun of us, and you say "the 10 lost years," and you don't debate the substance of the bill. The reason you don't is because you don't understand it. You couldn't possibly understand it, because not one of you had a say in it. Every one of you knows full well what's being said in your ridings. I was in London North just today.

**Hon Noble Villeneuve (Minister of Agriculture, Food and Rural Affairs, minister responsible for francophone affairs):** Demonstrating?

**Mr Duncan:** No, absolutely not. Meeting with officials who knew nothing about this bill and are very concerned about it.

**Mr Wettlaufer:** And you couldn't explain it to them.

**Mr Duncan:** Oh, I certainly could, because unlike you I've read it, and unlike you we're not afraid to talk about it.

So a supervisor can be appointed by the Minister of Health. He can go into Brampton, into a community hospital, and run it from Toronto. He can do that. You ought to support local organizations, local non-profits in your communities that run hospitals very competently. As a member of the Southwest Ontario Association of Health Care Administrators, I can tell you there are a vast number of health care administrators who are committed to making the best possible use of our available resources.

This kind of draconian step smacks of paternalism and lack of understanding of the community. They talk about giving power back to communities. What this bill does is take it away from communities.

The Minister of Health is given the power to inspect, copy and distribute the most confidential and personal medical records—unprecedented. You sit here and you talk about your Common Sense whatever-it-was and how this was discussed in it. You're wrong; it wasn't. It wasn't discussed in the document; it wasn't discussed in any kind of public consultation. Nowhere on the public record do you find that. To suggest that it was there is an affront, not to the common sense but to the good sense of the people of this province, who agree there's a need for change—all of us do. All of us recognize that there are problems.

But to suggest that taking a bill of this magnitude and jamming it down the throats of this province without meaningful public consultation—here we are at 11:04 pm. The member who spoke before me spoke disparagingly of the members who are missing. I might speak disparagingly of the lack of times you've spoken in this House. Why is it, after three months, you're only getting up to

talk today? At least you're here to defend yourself. You aim your shots at members of the parties who weren't here.

Let's talk about the \$225 million in new user fees under the Ontario drug benefit program which will be imposed on seniors and others most in need. Again, the members opposite and the Premier get up and play games around semantics. They don't talk about the substance of the issue.

**Mr Gerretsen:** Parking fees.

**Mr Duncan:** Parking fees, yes. A major, major, major change. I suppose we shouldn't be surprised because they've done so well at going after the most vulnerable in our society. Those drug costs will no longer be regulated. Where was that in the Common Sense Revolution? I didn't see it.

**Mr Wettlaufer:** What page was it in the red book?

**The Speaker:** Order.

**Mr Duncan:** And why is it, if you consulted so widely, that the Ontario Pharmacists' Association has spoken out so clearly against what you're doing? I suggest that this consultation is nothing but a sham. It's a sham, and it's a sham because it's designed to keep the people in this province in the dark about what this government's full intention is.

The reason they want to keep people in the dark is they know that once people understand this bill—and I can understand that many of you haven't read it or certainly haven't grasped it yet. It's a huge bill. It's frankly almost impossible, and with all the resources that we have to have the difficulty, imagine how groups out there feel.

Of course you wanted it wrapped up by Christmas. Of course you didn't want to leave Toronto. Of course you wanted to be debating at midnight. Of course you did, because you know that much of what is in this bill is absolutely unpalatable—not because we don't believe there's a need for change, not because we don't believe in reviewing everything, but because we believe fundamentally that the people of this province have meaningful input and can help and participate as we get the province's affairs in order again.

The Minister of Municipal Affairs is given new powers to amalgamate and possibly dissolve municipalities, and there will be some municipal officials who applaud you for this. There will be others who don't. But you won't give them a chance to even discuss it. You won't give them a chance to discuss it.

**Hon Mr Villeneuve:** Where are you, Dwight?

**Mr Duncan:** I'm for local choice, which you're taking away in this bill. You are taking it away. You're taking it away and that's why you don't want to go public. That's why you don't want to give people an opportunity to participate, because you're taking away local choice and you're couching it in more of your ideological jargon that's meaningless and not substantive, particularly from those of you who've had no say in the development of this bill, and that's most of you. That's most of you.

**Mr Martiniuk:** That's insulting.

**Mr Duncan:** Yes, it is insulting. It was intended to be.

*Interjections.*

**The Speaker:** Order.

**Mr Duncan:** You restrict access to freedom of information requests by implementing new fees and providing greater powers to government to keep secret files. You're reducing the restrictions placed on the development of crown lands, logging, mineral exploration, industrial operation and construction.

And you know, Mr Speaker, they've spoken about these terrible people in the opposition and what we've done to their House.

**Mr Gerretsen:** Yeah, we don't count.

**Mr Duncan:** Not that we count. So let's just review what some other people have said about this bill, about the bully bill.

**Hon Mr Villeneuve:** The what?

**Mr Duncan:** About the bully bill. I quote:

"The problem with Bill 26, which allows the province to unilaterally close hospitals, change municipal boundaries without consultation of any kind, direct where doctors work"—and so on and so forth—"is that it's being rammed through with virtually no debate. What's needed is discussion of the bill before committee." That's from the Northern Daily News.

"Bill 26 is an unabashedly naked power grab by the Tories. Its purpose is to give cabinet the ability to act alone, to change a host of government services and agencies without approval of the Legislature or anyone else." The Kitchener-Waterloo Record.

"Whatever the differences may be between the American and Canadian political systems, the parallels between Richard Nixon and Ontario's Mike Harris are both clear and troubling." Robert Vipond, political science, University of Toronto.

And what about Ontario's Information and Privacy Commissioner? What about what he said? He said: "With the sweeping powers these amendments provide, there arises the danger that health care information may be collected, used and disclosed beyond what is reasonably necessary to achieve the goal of reducing health care fraud."

And what else?

"Bill 26 can only fuel concern that Harris is doing too much, too fast, with too little planning, too little thought of the consequences." Jim Coyle, the Ottawa Citizen.

"Dictatorship by Premier Mike Harris's cabinet does not make common sense. Yet rule by cabinet decree without public debate in the Legislature is a disgraceful purpose of the Tories' Savings and Restructuring Act, 1995." Kingston Whig-Standard.

What you've done to this House and what you attempted to do, your government proved its own hypocrisy when it gave in to every one of our demands. It was you people who have taken democracy for granted and have spoiled this province and this Legislature. Shame on all of you.



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**Mr Ted Chudleigh (Halton North):** When I got elected, I didn't realize that a bedtime story was going to be a lecture from the Liberals on parliamentary procedure. Unfortunately, it was preceded by a lecture from the NDP on economics. Whenever I get "NDP" and "economics" in the same sentence, I think of \$60 billion and wake up screaming. That is a nightmare.

On Wednesday, November 29, this government charted a new course for the province of Ontario, a course which, I want to remind those in this House who refuse to face the realities, was democratically chosen on June 8th of this year.

We were chosen with a mandate for change. The introduction of Bill 26 will be remembered as a defining moment in the history of this province, a moment in which a generation of leaders made the right choice for the future prosperity of generations to come. In fact, it was the first time in almost 30 years that the people of this province didn't line up in fear of a sin tax increase on cigarettes, beer, gasoline or liquor the night before a financial statement was tabled in this House.

With the introduction of Bill 26, the taxpayer of this province knew that the matter at hand was not as simple as levying piecemeal taxes that drove us deeper into debt. The taxpayer of Halton North and indeed around the province understood that to solve the crisis facing the province, hard choices and real decisions had to be made, and the taxpayer understood that if the real change would happen, this change would not and could not be borne by the taxpayers alone. There is only one taxpayer, whether he be regional or municipal or provincial or federal, and that taxpayer understands that all sectors of society will have to share the burden equally to ensure the fiscal future of this province.

The vision announced by this government in Bill 26 brings together what the people of this province have been telling us for the past four years. Government must take responsibility for its actions at all levels. Governments must stimulate jobs through job creation by creating an environment that attracts business and investment to Ontario. Government should not be a burden. Government should be smaller and more streamlined to meet the needs of the people it serves. Government must create new funding arrangements and partnerships to reflect the changing relationships of a modern world. And to do this, government must have a focus and a definitive plan for change.

That is what the voters of my riding told me, and today once again I am proud to stand in this House and tell them that this government has the courage and is prepared to deliver, against their expectations.

I believe that Ontario's best days are ahead of us, but to get to them we must make the hard choices today. Why the hard choices today? The past five years are a good window at the reasons why we must make the spending cuts outlined in the economic statement and the actions of Bill 26.

One of the most compelling is the following facts as they relate to our real gross domestic product: In 1990,

Ontario's GDP was \$228 billion; in 1994, it had grown to \$238 billion, an increase of \$10 billion. The previous government might take comfort in the fact that over its mandate Ontario's GDP grew by over \$10 billion. But before we break open the champagne and celebrate, I ask the members opposite to reflect upon the cost of this most dubious achievement.

While they were out enjoying the champagne, "pain" being the operative word here, the hangover they woke up to went something like this: While the GDP went up by \$10 billion, the province spent \$60 billion more than we made, thereby increasing the debt by \$60 billion. For every \$1 in revenue, we spent \$6 more than we made. One step forward and six steps back. Forget the new math; that's NDP math. Just think. If every business, institution or family ran their finances the way the previous government did, then we would all be broke.

The only reason that I can come up with for the past governments' mismanagement of the province's fiscal health is they had no concept of where they had come from, they had no idea of where they were and they had no vision whatsoever as to where they were going. The consequences of their actions plunged us deeper into two recessions, created uncertainty in the business and investment communities and fostered dependency and destroyed hope. In effect, they turned the economic engine of Canada into the caboose.

So while the members opposite chastise the government for doing what is right by claiming the pain we will cause with our renewal plan, I ask them to consider the devastating human cost of pursuing a policy that upheld their status quo. More spending has not created prosperity. If it did, we would have all had two jobs by now.

Make no mistake: This government is determined to assume a leadership role, a role that has been conspicuously absent from this province for the past 10 years.

Our history is shaped by the courageous men and women who came before us. In the lobby downstairs, we see Wolfe, Simcoe, Brock, and they never shrank from the task at hand. The early citizens of our province, who built this great province, did not fail us and we shall not fail them.

We took the initiative in the Common Sense Revolution to tell the voters of this province what our vision was. We took the initiative to examine the core businesses and services of government and created an environment for public sector investment. The introduction of Bills 7, 8 and 15 showed the voters that we're committed to change and delivering the mandate given to us, a mandate that brings us to where we are today and the introduction of Bill 26.

This plan for renewal delivers what the voters of Ontario sent us here to accomplish. It reduces government spending. It restructures the public sector to help Ontario become competitive again. It gives our transfer partners the tools and ability to restructure their operations, develop their core services, plan for the future and deliver programs in a more cost-effective and efficient manner. It gives our transfer partners more autonomy over decision-making, and it removes the barrier mentality of one size fits all in Ontario.

Reaction in my riding has been very positive. At a recent breakfast meeting of the Halton Hills and Milton chambers of commerce, there was deep understanding of the need to take the actions that this government is proposing. Questions and comments all came down to the same conclusion: Keep doing what you're doing.

The municipal partners in my riding have already spoken to me about working together to build a new partnership with the provincial government. The days of governments blaming other levels of government for all of our problems are over. We all have to work together to find solutions to the problems we face. We know it won't be easy, but we're prepared to make the hard choices and become part of the solution, not part of the problem.

This is exactly the type of spirit of cooperation and resolve that is necessary to achieve a common goal, a spirit that reflects the willingness of the voter for politicians at all levels to deliver the type of change necessary to create prosperity again.

With a balanced budget, lower taxes and the creation of an investment climate that is second to none, Ontario and all of its citizens will be poised to take advantage of the economic opportunities that await us in the future: a streamlined, more efficient government, better jobs and reliable, affordable services for those who are in genuine need.

This is truly the most compassionate route to be taken for the benefit of all the citizens of Ontario. We will stay the course, we will complete our plan and we will secure the future for every Ontarian. Although change is never easy, it is sometimes necessary. I leave this question of change for all in this House to consider: If not now, when?

**Mrs Sandra Pupatello (Windsor-Sandwich):** It's my pleasure to speak tonight, at this hour. Although there may be some watching, I'd rather be speaking to the members opposite tonight. Quite frankly, it reminds me of being at home watching American television during one of their American campaigns and listening to their American-style radio ads and television ads.

Quite frankly, of all the speaking notes that were prepared for you by the boys in the back, I wish that they had gone back a little further to do a little bit more digging. To sit here this evening, pretty well all afternoon, and listen to the members rise with this sanctimony—it's a crock, frankly.

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I've got to tell you, I wish you'd gone back a little bit further. Just a recap while all of you want to talk about the 10 lost years in Ontario and your wish to return to the greatness of Ontario. Give me a break. Quite frankly, even Davis was trying in earnest year after year to do better in Ontario, and now you're going to stand and try to go back to what he was trying to fix, to the years where you had some of the highest levels of unemployment. When he was thrown out of office you were sitting at \$35 billion in debt. I've got to tell you that your own Conservative governments ran 15 straight years of deficit—15 straight years.

I guess all we can do is go by the Provincial Auditor. In fact, let's look at the last time Ontario had a balanced budget. This is a document that the Conservative government put out only a couple of weeks ago, and even on the graph it tells you the last time Ontario had a balanced budget. It was in the 1989-90 Peterson government. That was a balanced budget.

*Interjections.*

**The Speaker:** Order.

**Mrs Pupatello:** I've got to say—

*Interjections.*

**The Speaker:** Order.

**Mrs Pupatello:** —15 straight years of deficit. That was your Tory record. So thank you very much for coming here today and trying to improve the record. Your own record needs a hell of a lot of improvement.

Let's talk about the fearless leader, the Premier of Ontario. What kind of record does he stand on? This man sat in this very House and voted time after time for tax increase after tax increase. That's Premier Mike Harris in this House today. Let me tell you that in his years here he voted 22 times for tax increases. That's his record.

Let me tell you too, he voted for personal income tax increases. He voted for fuel tax increases. He voted for increases in OHIP premiums. I know that you're not aware of this, so please do listen. He voted for provincial sales tax increases. He voted for corporate income tax increases. Not only that, he voted for the largest deficit as a percentage of GDP of all time. That's the leader who's now leading Ontario. So I do hope he improves on his own record. Don't sit here and sanctimoniously tell me about the lost 10 years. You've got 15 years to be making up for on that side of the House.

There's no question that there are financial realities that we're all facing, and how are we going to address it? How are we jointly going to address what it means? I would submit that this bill is not how it's going to be gone about. Let me tell you about the effects of Bill 26. We've got members of the Conservative Party running around Ontario now telling very selective pieces of information of this bill.

**Mr Hastings:** What did you guys do?

**Mrs Pupatello:** You as a government have the obligation to tell people the truth and tell people the whole story. That is not what is happening around here.

Let's talk about municipalities, the ones that took such a large hit in the last economic statement. While you may stand on giving them far more powers and all-reaching powers, that's wonderful; municipalities always did want that. They also wanted the money that has always been flowing from the provincial government. So what good does it do them now that you've cut them? So you'll come down and say: "This amalgamation change in Bill 26, what a wonderful thing that is. Why, it streamlines and it streamlines the arbitration process."

Let me tell you what it does. It allows with a majority of the townships, and not all of them, to amalgamate, whether they choose to or not. Moreover, no appeal process. So if you have five townships that are being



recommended for amalgamation, if two of those don't want to amalgamate, they simply get drawn in whether they want to be or not. In fact, you've written it in the bill: no repeal. "Shall not be repealed in whole or in part after it comes into force." Is this what you call giving them the power? This is taking it away.

**Mr Gary Fox (Prince Edward-Lennox-South Hastings):** Read the other part.

**Mrs Pupatello:** "Read the other part." You have an obligation to the people of Ontario—

**Mr Hastings:** You have an obligation.

**Mrs Pupatello:** —to tell them the whole story—

**The Speaker:** Order. The member for Etobicoke-Rexdale is out of order.

**Mrs Pupatello:** Let's talk about health and the promise of not cutting health fees. Let's talk about what it means to someone like me who comes from my riding. I would submit that most of the people who are in the House now coming from non-teaching centres, non-teaching areas—what's going to happen to us? When we're talking about elements in this Bill 26 and what it does to our doctors, it restricts access; a moratorium: "In any of the following circumstances, the minister may, by regulation, impose a moratorium during which no physician is entitled to become an eligible physician..."—what does that mean for you? That means that while they're driving the doctors out of Ontario, lowering the caps on what they're going to be able to charge, they'll all move back to teaching centres. So that in areas like mine in Windsor-Essex county that don't have a teaching facility, there is no incentive for the doctors to remain.

Let me show you a list so far, only in the last five years, of doctors, mostly specialists, who have left my area. I would submit that your areas are very much the same and it's very convenient that this government chooses to take on the doctors, because as a group no one wants to take on the doctors, but, oh, you're so brave to do so. Well, let's see when your phone starts ringing because your own physicians are leaving and, no, they are not coming back because indeed they are finding it better down south, which is where they're going when they leave Windsor-Essex county. So while your phone may not ring now, wait until your doctors begin to leave and you'll find it's a different story.

Let's talk about the copayments on drugs. Single income over \$16,000, family income over \$24,000: They'll now pay a deductible of \$100. Your bill is entitling them to that. I'm sure they're going to tell you thank you, that the bill is wonderful. It also allows them now to pay the dispensing fee. Now it's \$6.11. I'm sure they're going to say thank you for that, "Thank you for giving me the elements." I'm sure you didn't go around the province and tell them about those elements in Bill 26. But there are more. There are far more.

The freedom of information where medical information is concerned: I know that members of this House weren't aware of the far-reaching implications of allowing this kind of thing, and you may choose to sit there and smile until it's your medical records that are being faxed Lord knows where because now the minister is entitled to do

that. To that, I'm sure all of us in Ontario are going to say thank you.

You sold the municipalities and all of us on this granting of powers to municipalities but you failed to tell them that you were also including that element that allows them to charge a head tax or a poll tax. I would submit that they maybe should have known that, that in fact you are granting powers to municipalities to raise revenue at a local level, revenue that you are cutting from them, and you're simply downloading your costs to them. You claim in your estimates here that you're saving \$225 million on this copayment on drugs. That is not a saving of \$225 million; you're just offloading the cost to the people who can least afford it, so it's more downloading of cost but you haven't given them the straight goods and told them that.

With all the hundreds of pages that were in this document, and the announcement of a new casino in Niagara, how in all of these pages did you fail to mention the promise that your Minister of Finance, Ernie Eves, that your Premier, Mike Harris, made during the campaign of 10% to the local community that houses it? How is it in all of these pages we can find nary a word about the promise of 10% profits to communities? I guess he said you don't need the revenue. Well, why did you announce another casino? Surely there's something missing. Maybe there's an extra page here we're not aware of. But I know our member from Niagara would love to have been able to go back to Niagara and say, "Mike Harris promised 10% to communities but he didn't give it." So, more broken promises.

What was all the kerfuffle about when Bill 26 was introduced? Well, the people on this side of the House believe that the public does have a right to know what you're doing. You may be sitting there with a majority government, but that doesn't mean that you can just run roughshod over Ontario and not let the people know exactly what you're doing. If you have a problem with the members of the Liberal Party making sure that the public will have a right to know and in fact will know, then I would submit that that is your problem and we're doing our job. That's what we were elected to do.

So I've got to tell you that as far as the bill is concerned, to members opposite, the bloom is off the rose and the people will discover everything that you had intended. Unfortunately, it's such a large bill, I don't know that even the public hearings we were able to require will do it justice. We'll never be able to look through it clause by clause and make the appropriate changes that even members of this government have admitted need to be made. But nevertheless, we're going to work with that because we owe the people of Ontario the truth about Bill 26.

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**Mr Jim Brown (Scarborough West):** It is with pleasure and great pride that I rise today as the first Progressive Conservative member to represent the riding of Scarborough West.

Since the riding's beginnings, the electorate has never sent a member to Queen's Park that was in any other

political party than the New Democratic Party; never, that is, until June 8, 1995, when they bestowed upon me this great honour.

As I stand here, I reflect upon the contributions of a number of my predecessors who held this seat. Mr Stephen Lewis served the people of Scarborough West for 15 years. For eight of those years, he was leader of the New Democratic Party. He was succeeded by Mr Richard Johnston in 1979. More recently, Ms Anne Swarbrick held the seat under the former government which appointed her to the cabinet.

The riding was created 32 years ago. It is nestled on the shore of Lake Ontario just east of the city of Toronto. It is bordered by Victoria Park to the west, Lawrence Avenue to the north, Kennedy Road to the east and Lake Ontario to the south. It is home to the scenic Scarborough Bluffs.

I have lived in Scarborough West since before the riding was constituted. I recall how Mr Lewis recognized the needs of his constituents, the concern they had for their fellow neighbours. The mostly working-class residents, who understood the value of a hard-earned dollar, believed that Mr Lewis would bring social justice and compassion to their lives.

Richard Johnston and Anne Swarbrick followed in their footsteps. Their hopes for a more just society found the support of the new immigrants, the hard-working, blue-collar workers, the grinders, the workers of the world. Scarborough West is full of hard-working, compassionate people.

There are a number of institutions in the riding which reflect that compassion. Providence Centre, for example, is a home for the aged and a chronic care and rehabilitation hospital. It has been providing care to the community for over 33 years. In its own words, "While most medical institutions are in the business of adding years to life, Providence lays claim to adding life to years."

I applaud Marion Leslie, her staff and all her volunteers at Providence Centre. I fully support them and am pleased that the Metropolitan Toronto District Health Council hospital restructuring committee has recommended their expansion.

Scarborough West has a number of fine community centres such as Warden Woods, Birchcliff and Oakridge. Warden Woods has a unique service known as the Conflict Resolution Centre. Run by volunteers, this service brings disputing neighbours together, and with the guidance of volunteer social workers and lawyers, conflicts are often resolved before the police have to be called. Not one taxpayer dollar is spent and they have a record of success in 90% of their cases.

The world-renowned Variety Village is also in my riding. Variety Village epitomizes compassion. They work with the physically challenged to help them build self-reliance, self-esteem and being the best you can be.

We've got some dedicated police officers in my riding. Jim Kozmik and Dave Alexander are spearheading a crime prevention program in the Catarqui neighbourhood. These fine officers are trying to make the streets safer with an innovative approach to policing.

My constituents are caring and they also know the value of money. They sacrifice for their kids. They take extra jobs. Many are immigrants striving to survive, sacrificing for a new beginning. Most are workers with a family and a mortgage.

I have lived in the riding for over 40 years and I know it well. I went to Oakridge and Warden Avenue schools. I went to R.H. King and W.A. Porter collegiates. I've travelled the same roads as my constituents. From a poorer economic environment, I was able to earn several university degrees and, most importantly, the spirit of self-reliance.

My father was an immigrant, as is my wife. My father found it impossible to get a job because of his name, Tommy Gallagher. There was prejudice in Toronto, and my father overcame it. He was compassionate and always working. He believed social justice was a job. Being a union organizer, he fought for union democracy. He was a typical resident of my riding.

In 1990, voters in Scarborough West and other parts of the province were surprised when the dream many of them held became a reality. The NDP actually formed a government. But the euphoria was short-lived, as people realized that the kind of ideology the NDP dictated did not work well in application. After five years of NDP rule, voters were appalled and the dream became a nightmare.

Money was wasted. Welfare increased threefold. Debt doubled. Jobs vanished. Employment equity fostered prejudice.

Voters wanted change. They wanted jobs. They wanted social programs that were not put in jeopardy by the foolhardy spending of the NDP. The NDP abandoned compassion. They denied jobs for our youth; they robbed the middle class with higher taxes. Tripling the number on welfare and destroying self-esteem are not acts of compassion.

My NDP predecessors, Lewis and Johnston, would recoil in horror if they realized that Bob Rae's NDP created the largest single redistribution of wealth in the history of the province from the poor to the rich—yes, wealth redistribution from the poor to the rich. I quote Lorrie Goldstein of the *Toronto Sun*: "During the five years he was Premier, Mr Rae presided over the greatest transfer of social income to the wealthy in Ontario's history."

The NDP doubled the debt, and as a result increased our interest payments from \$3.8 billion to nearly \$10 billion each year, forever. This interest is a boondoggle for the wealthy foreign investor and the superrich banks at the expense of not only taxpayers but also the disabled, the disadvantaged, the children and the single moms, because those are the services that have been jeopardized by the wasted five years of NDP rule in this province.

Social programs have been jeopardized by the irresponsibility of the NDP. Yes, money originally destined for the poor has to be sent to the creditors. Money to help the needy and the disadvantaged must now be remitted to noteholders. The NDP mortgaged our futures and they thought nobody would notice.



The \$6 billion extra interest cost is greater than the total annual welfare payments. It is greater than the cost of all our ministries plus the Queen's Park and all MPP costs. We have creditors, lots of creditors, and our creditors are only concerned about the repayment of the billions we owe. They're not concerned about our social programs. They want to know when we will repay our \$90-billion to \$100-billion principal. Our creditors are concerned because we just keep borrowing.

To make matters worse, more private money leaves the province. Wealth creators are taking their money to other countries, frightened at the debt load of the province.

Take a look at the *Globe and Mail*, at the ads to transfer money out of the country. There's a book, *Take Your Money and Run*. It sells very well. Poor people and the disadvantaged can't leave. They believed the promises and now they're trapped.

For the past five years, Ontario has been a leader in flight capital. The Canadian and Dominion Bond Rating services have been concerned about Ontario's creditworthiness. Ontario once enjoyed an AAA credit rating, until 1991. Now our credit rating has been downgraded twice, to AA-; our debt instruments are deemed risky. The higher the risk, the higher the interest costs. If we are not cautious, our rating could drop again.

A 1% interest rate increase equals \$1 billion in added interest costs. That's almost another 21.6% cut in welfare just to stay even. That \$1 billion would fund all colleges and universities or all child care facilities. That \$1 billion would fund all non-profit housing. Interest is a very non-productive expense.

The spending of the last five years primed nothing. Debt doubled, creditors multiplied, yet in spite of massive spending, 12,000 welfare cases per month were added. Ontario is number one in welfare costs. Some 1,500 permanent jobs per month were lost. The interest became our deficit, and interest is crowding out our social programs.

The economic statement and the restructuring act have sent a clear message that the government and public sector must share the pain with the rest of us. There's no free lunch. We want to look after the less fortunate. Tax, borrow and spend, tax, borrow and spend—it's over. We mean it. It's over.

We have to be tough with our expenditures in order to be compassionate with people. We all know that drug and alcohol addiction ruins self-esteem, blurs self-reliance and destroys self-confidence. Withdrawal from addiction is painful. Just like narcotic dependency, there is such a thing as addiction to government services and handouts. We have to break the addiction of government dependency. There are no Betty Ford clinics for government dependency.

**The Speaker:** If the member for St Catharines and the member from Haliburton want to have a conversation, go out the back.

**Mr Jim Brown:** But once any addiction is removed, self-esteem is freed, self-reliance is stimulated and personal growth and potential are fostered.

Another encouraging aspect of the economic statement and restructuring act is the commitment to cut and eliminate red tape, red tape that strangles development, robs entrepreneurial spirit, discourages capital accumulation and rewards bureaucracy. Insidious regulations touch us all.

Did you know there's a registrar of regulations? Did you know there are at least, at last count, 45,000 regulations, and the number grows every week? And that's just at the provincial level. They're cumulative. We never cancel any of them. There's no sunset law.

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Regulations do touch us all. As a small businessman, I often felt that more regulations were not only touching me but trying for a knockout punch. The bureaucracy, all of which we pay for handsomely, has practised the art of overregulation for decades; they've honed their skills. It is like religion or a trade or a profession. They introduce regulations so quickly and with absolutely no regard to economic reality or cost-benefit analysis. Bafflegab and bureaucrap, Parkinson's law personified: Work expands to fill the available time.

The bureaucracy stifles cost-cutting. In my meetings with Scarborough hospitals, Providence Centre, colleges and other regulated operations such as child care centres, the one complaint is the micro-managing by the bureaucrats, the regulations that result in micro-managing, and the frustration at wanting to cut back needless expenditures but not being able to because of regulation.

The government has triple checks on everything. They regulate for job preservation, they micro-manage for job security, they implement reports for proof of work—45,000 regulations and growing weekly, 45,000 regulations costing billions of dollars. You know, Moses ran things using 10 regulations.

The red tape committee wants to right the regulatory wrongs. We want to cut costs by reducing needless regulations. Like Alberta's done, we need to stop all existing regulations and start over. They have a sunset law in all regulations. They have a watchdog committee that considers economic benefit. There's certainly lots to do. It's a great undertaking, but it was promised in the Common Sense Revolution, in the throne speech, in the economic statement and the restructuring act.

Our Savings and Restructuring Act is sending out the message that we want to roll out the red carpet and roll back the red tape. We want to create jobs. We want the wealth creators to create wealth, not reports. We want compassion to be worth more than a pile of reports. We want to ensure that the interests of the disabled and the disadvantaged and the children take precedence over high-cost, paper-pushing make-work.

We want to make sure that the 87% of the population who make under \$50,000 get a tax break—finally, an increase in disposable income after years of cutbacks and 65 added tax increases.

Our families knew five years ago that times were tough, and our families adjusted and sacrificed. We learned to live within our means, but disposable income kept falling.

Now it's the government's turn. We're trying to introduce a new concept into government thinking—common sense, something so seldom used it's often mistaken for genius.

**Mr Patten:** I appreciate the opportunity to exercise my privilege as a member of the Ontario Legislature to participate in this debate on Bill 26. While many of my colleagues have addressed various aspects—the financial aspects, the regulatory aspects, the ominous nature of this particular bill—I'd like to direct my comments to the impact this legislation will have on parliamentary and participatory democracy.

As I've already said in this Legislature, Bill 26 takes power out of the hands of our elected officials, and by doing so it potentially renders the voice of the public as powerless. Bill 26 in fact sets the stage for a coup d'état on the notion of responsible government and indeed participatory democracy. With this piece of legislation, the government is wiping out what it took legislators over 100 years to build, and that is the inalienable right to review and to debate the legislative program of the executive branch of government called the cabinet.

This is what I believe is at stake in Bill 26: our fundamental right as legislators to debate the executive action of a government. Why else are we here? I ask my non-cabinet colleagues on the other side of the chamber to reflect on that. I'm sure you must ask yourselves, "Why am I here?" Certainly you didn't run in the election to be a rubber stamp, but that is what Bill 26 will render you and will render me and my colleagues: a rubber stamp for whatever decree comes from cabinet.

You sought office probably for many of the same reasons I did, and the most important was to be a voice for the people who elected you. Through me, the people in my riding have the opportunity to examine and to voice their opinions on the legislative agenda put forward by the government.

We refer to our form of government as responsible government: The executive branch of government, the cabinet, is responsible to the legislative branch, the members. The system works on the basis of legitimacy gained through consent. "Elections are obviously one benchmark of consent, but it is simplistic to think they crystallize and fuel a continuing mandate," regardless of whatever, says Robert Vipond.

This, however, is exactly what Mike Harris and his ministers are doing when they stand up day after day in response to questions and say: "We had a mandate. We took our own poll, and it was called an election." I choose to differ. You may have earned the right to form the government, but you have also assumed the responsibility to govern, and those are two very different things.

What is at stake in Bill 26, in my opinion, is really our ability as members of the legislative branch to call into account the actions of the executive branch. If action is needed to remedy a particular problem, then let the members of the Legislature debate it. I can tell you, in so far as you earned the right to form the government and direct the course of action over the next four years, I also earned the right to debate and review the actions put

forward by the government. It is not only my role as a member of this Legislature, it is also my responsibility.

What I have to say in this debate on this massive piece of legislation is that Bill 26 is a huge power shift. Some people say "power grab." I say it's a power shift, and it shifts power to centralized government.

Edward Blake, a former Liberal Premier of Ontario, stated, "In free constitutions, executive power must be guarded, limited and restrained, and must not be permitted to encroach on the rights of the people and their representatives."

I put it to you that Bill 26 represents an expansion of executive power at the expense of the elected representatives. It is nothing short of the transfer of power out of the hands of the Legislature back to the executive branch. It reverses what our forebears built for us over 128 years ago.

People are only slowly becoming aware of the sweeping nature of Bill 26, but the debate is building. We have seen an explosion of attention to this attack on our tradition of participatory democracy in the press lately. Even Tom Wright, fulfilling his mandated as privacy commissioner, has expressed grave concern about Bill 26, concerns that would have been ignored had this bill been rammed through.

I refer to the letter he sent to the Minister of Health. I point out to members across the way that when I asked a colleague on the government side—I will not name him—whether he had read the letter from the privacy commissioner, he said: "Well, who is he? He's not elected." It was at precisely that point that a concept crystallized, that that new member didn't understand that operating in government and operating in the Legislature is decidedly different from operating in a business.

In editorial pieces, Bill 26 is referred to as a "bully bill," a "power grab," a "gross abuse of power," the "ominous bill" etc. Those are not my terms. I've been hearing terms such as "imperial" and "dictatorial," and these are not coming from just the members on this side. They've been initiated by the press, a broad base of the press.

But probably the most sobering observation on Bill 26 comes from Robert Ronald, president of the Ontario Teachers' Federation. I attended their press conference after we closed the House on Thursday last, where he outlined the concerns and said, "As teachers we are concerned about the lesson this government is teaching our students"—our children—"about the exercise of power and the disregard for the democratic process" and how young people are affected.

To me, that's a very important principle. What kind of society are we preparing for our children when we undermine the values upon which our society is based?

I will end my remarks by pointing out exactly where this bill sets a precedent: It sets it when power is given to the Minister of Health for no referral, because it does not have to happen now. At the moment in this Legislature, the Minister of Health would have to come forward with legislation in order to close any hospitals. It would be an opportunity for everyone to react to that and for the



press to comment and for people perhaps to phone in, talk to their members, phone the government, whoever, the minister himself or herself.

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At that point, we moved and I believe crossed the line in terms of undercutting the parliamentary history of this Legislature, because we gave powers solely, absolutely, to that minister.

Today it's the Minister of Health, tomorrow it will be the Minister of Municipal Affairs, and following that, who knows which minister it may be? Please take a look at this. You will see the power becoming centralized into the cabinet. That means they do not have to speak to anyone else. They do not have to come to this place. It means that your role and ours becomes somewhat useless, not important. It limits the opportunities in making decisions that affect people and their participation in them.

I can appreciate that many people who ran as members of the Progressive Conservative Party come from a business background. I understand that, and that's important and it's a good contribution and a good perspective to add to this House.

But I hear, time and time and time again, people saying, "When we got elected June 8, it was our mandate." I agree with that: It was a mandate. But it was not an absolute, autocratic dictatorial mandate; it was a mandate to assume the responsibilities of a responsible government.

The next step is that we will move in a way that becomes managerially expedient. I will say to my friends across the way that this is where the mistake is. That is a business paradigm; it is not a parliamentary paradigm. It is not the sensitivity of putting forward programs and ideas for the public to respond to.

That is where I believe the mistake is, where you rob this Legislature of that kind of power. I say that not in a vindictive way. I say this with a degree of despondency and with a degree of discouragement, that we can undercut this particular place. And it has been undercut. You haven't done it; it was undercut by the NDP when they brought in some of their motions on time allocation and on closure. That's a very slippery slope.

I ask you, please be aware of that aspect of the bill. There are many aspects, many aspects indeed, that I agree with, but I point out this one. It's your responsibility, our responsibility, for our future children to respect us in terms of parliamentary democracy and the history we have in this province.

I've travelled the world, and wherever I've travelled I've felt proud to talk about it. I don't quite feel that way today, but I hope we can rectify that. I hope you will listen to that particular point and that your cabinet will withdraw any kind of absolute powers and restore the parliamentary democracy and tradition of this province.

**Mr Michael Brown:** As I rise to speak to Bill 26, I rise with some perspective on this bill, I believe. I've been around; I've been elected three times. I've seen governments come, governments go. I've sat over there, I've sat over here. I've been around, but I have never,

ever seen anything like this tax bill. This is probably the largest tax bill the province has ever seen.

As you go through this bill, I think you'd be astounded by the taxation measures it brings to you; for example, user fees, user fees for seniors, a taxation measure, some \$225 million of taxation. Call them fees, copayments, whatever, but it's a tax on health care, a tax on the sick, a tax that was never there and a tax that the government explicitly ruled out in its election document, explicitly ruled out doing this.

We're going to tax seniors, disabled people, people who are on social assistance. We're going to do this because of this bill, this 211-page bill that speaks to matters that are just absolutely incredible and phenomenal in their breadth.

I was listening to the member for Scarborough West, who I think made a valuable and important contribution in this debate today. He said we have to get of regulations, but this bill is 211 pages long, and the number of regulations it will take to implement this bill would probably bury me. That is how many regulations will come out of this bill.

My good friend the Minister of Natural Resources was here earlier. I'd like to say a few words to him. The now minister and I, on behalf of our two parties, were the critics for Natural Resources in the last Parliament. The minister and I looked at Bill 171, which was a very broad bill in the forest industry, regulating the way forests are harvested and looked after in this province. That bill vested, in my view and in the view of the present Minister of Natural Resources, the same kinds of powers in this bill.

This bill does not provide much in the way of specifics. What this bill does is provide for the minister to make regulations. The minister can make regulations to do almost anything he wants, whether it's the Minister of Health, the Minister of Natural Resources, the Minister of Financial Institutions. Just about any minister can make regulations, which we all know will never get reviewed in this place. Often, members of the Legislature don't even have the opportunity to know that these regulations are in place.

Earlier the Minister of Natural Resources—I just have to comment on this—talked about setting up a trust fund. Can you imagine? In this legislation there's actually a trust fund—which I think's a good idea; don't get me wrong—for the revenues from hunting and fishing, and I suspect from commercial fishing because it speaks to royalties, and from a number of other places. They are going to dedicate these, put them into a trust fund. The Minister of Natural Resources would know that the forest industry got trust funds last year. What are they going to spend the money from the trust funds on? Remember, Minister, when you were over here, what we said about the kind of power this gives you?

I'd like to read from this bill, to talk about what discretion the minister has:

"Payments out of account

"(3) The minister may direct that money be paid out of the separate account to the minister or a person specified by the minister if,

“(a) the payment will be used for the management, perpetuation or rehabilitation of wildlife or fish populations or the ecosystems of which those populations are a part;

“(b) the payment will be used for a matter related to the activities of people as they interact with or affect wildlife or fish populations, including any matter related to user or public safety”—in other words, for anything, absolutely anything.

The bill doesn't speak to who is going to regulate that, because that's going to be in the regulations; the minister's going to set up who that is under regulations. Maybe the present minister will do a nice job and select the right people, but the next minister or the next government will choose whom they want.

I would say to the sportsmen of Ontario, who are very happy with this provision—and again I like it—that I don't know how it's going to work and it looks to me like a gigantic tax grab. I could almost guarantee that the same thing will happen with this fund as what happened with the forest trust funds and the crown dues. This is a

huge grab of money to support the ministry in this particular area, and I think sportsmen will be absolutely overwhelmed with what they're going to be asked to pay for, absolutely overwhelmed. The ministry is going to stop spending a whole bunch of its money that it's spending on these activities now and the sportsmen are going to pick up the tab, as the forest companies did. This is going to become a source of revenue to the Ministry of Natural Resources.

**Mrs Pupatello:** More taxes.

**Mr Michael Brown:** More taxes. I suggest that you can go through virtually every section in this bill and find ways that either the government will directly collect increased user fees or will permit its transfer partners to do it—probably the biggest tax grab in the history of Ontario.

**The Speaker:** It being 12 of the clock, this House stands adjourned until 1:30 of the clock tomorrow afternoon.

*The House adjourned at 2400.*



**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

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Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.



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**Assemblée législative  
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**Official Report  
of Debates  
(Hansard)**

**Tuesday 12 December 1995**

**Journal  
des débats  
(Hansard)**

**Mardi 12 décembre 1995**



Speaker  
Honourable Allan K. McLean

Clerk  
Claude L. DesRosiers

Président  
L'honorable Allan K. McLean

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# LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 12 December 1995

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 12 décembre 1995

*The House met at 1333.*

*Prayers.*

## MEMBERS' STATEMENTS SERVICE CLUBS

**Mr Gerry Phillips (Scarborough-Agincourt):** I want to take this opportunity, as the year comes to a close, to wish our service clubs the very best of luck in 1996. I think we all appreciate that they're going to be very busy.

I think the first new task for them is that the Harris government has asked them to run the workfare programs for the government. That will be an enormous challenge for them, as they try to help implement the government's workfare program.

The second big thing we saw is that the government is cutting back on grants to municipalities. What that is going to mean, of course, is a whole new set of user fees. Our young people particularly will now be charged for getting books out of the library, for using gymnasiums, for using the skating rinks. To some of our most challenging young people, who should be given every encouragement to use the library, now the government's saying, "The service clubs should raise the money to allow them to use the library."

I also say that 1996 will be slightly disruptive for the service clubs, because when the government was asked how hospitals are going to make up for lost revenue, the advice was, "They should start to cater the service club luncheons." We'll now see in all the hospitals, "Rotary meets here every second Tuesday, the Optimists every third Thursday night," as the hospitals attempt to make up for their shortfall by catering service club luncheons. Indeed, the service clubs will be very busy in 1996 trying to help this government out of the mess it's creating.

## CANDLELIGHT VIGIL

**Mr Rosario Marchese (Fort York):** On Thursday, December 14, at 5:30 pm there will be a candlelight vigil on the front lawn of the Legislature. The organizers, three concerned women, Nora McCabe, Penina Coopersmith and Pat Chartier, are calling it a vigil to mourn the Ontario we took for granted.

They have asked that there be no speeches and no placards, just concerned Ontarians expressing their sorrow at the passing of so many things we value. Everyone listening here in this House or watching at home is invited to join in this peaceful demonstration. In my many years in public life I have not heard of any event quite like this: people standing up more in sorrow than in anger, mourning the way this province is changing.

The organizers have chosen the date and time to coincide with the closing of the House for the Christmas break. As we leave for our constituencies, we carry with us the knowledge that this will be a hard Christmas for

too many. We will carry with us this powerful image of ordinary Ontarians holding candles, fearing that this government is leading us into dark times.

## LANDFILL

**Mr Toni Skarica (Wentworth North):** I rise in this House today to speak about a proposed dump site that threatens the community of Greensville in my riding of Wentworth North.

In March, a joint hearings board, after 140 days of testimony, ruled against the proposed South Quarry dump in Greensville proposed by Redland Quarries. Redland is now appealing this decision to cabinet and has asked for a new set of hearings.

In the initial March ruling, the board ruled that the proposed dump was environmentally unsound and would result in no significant economic benefits to the community. The towns of Flamborough and Dundas, where the proposed dump would sit, as well as the region of Hamilton-Wentworth, are all opposed to this dump and are therefore unwilling hosts. The residents are not only unwilling hosts, but they are outraged at the prospect of having to go through another set of hearings when the first set of hearings was perfectly sound in process and decisive in outcome.

This case has already cost taxpayers millions of dollars, and the public would not be better served by wasting more money on new hearings. The hearings proved conclusively that this dump is a bad idea. Nothing has change. The site for the proposed dump is a fractured limestone quarry. This is a geological sieve that has the potential to contaminate drinking water for thousands of people.

I have with me over 2,500 letters which were sent to several cabinet ministers as well as MPPs on both sides of this House, all of which ask cabinet and this government to reject the request to overturn the joint board decision.

Let me add that I continue to be supportive of the Wentworth North residents and I have the over 2,500 letters here with me today.

## OMNIBUS LEGISLATION

**Mr Rick Bartolucci (Sudbury):** With a little over 12 days left before Christmas, Mike Harris and the Tory cabinet must be getting awfully excited about the gifts they know they are about to receive from all the Santa clauses contained in Bill 26.

Indeed, so happy are the members of the Tory cabinet that many have taken to singing Christmas carols in the corridors of the Legislature—careful, of course, to lower their voices as they pass the offices of their colleagues in the back benches. Why, just this morning I heard several of them singing the praises of Mike Harris to the tune of



a classic Christmas carol. I'd like to repeat it now for the benefit of those in the back benches opposite. The final verse went something like this:

From the Tory party wish list Mike Harris did decree:

Government dictating,  
Lower prices grabbing,  
Drug prices leaping,  
Pension fund bilking,  
Poll taxes coming,  
No public input,  
Health care dwindling,  
New user fees,  
Closing hospitals,  
Liens on property,  
Americanization  
And the end of patient privacy.

Even though most of the Tory goodies contained in Bill 26 are still under wraps, hidden from the public, many details are beginning to unravel. It is my belief that with the start of the public hearings, Bill 26 will be revealed for what it truly is: a huge power grab. When the public rejects it, it will be a very blue Christmas for the Mike Harris cabinet.

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#### CHILD CARE

**Mr Len Wood (Cochrane North):** I direct my statement today to the Minister of Community and Social Services. Members of the parent committee for Centre de garde d'enfants/Child Care Hearst have raised with me their concerns about your government's cuts to children's services. These changes are made without considering the short- and long-term repercussions for families in this province. The first cuts were announced on July 21, and now we are expecting more, more and more to come.

The child care centre is a resource centre which houses, among other things, a day care and child care centre, a resource centre for families and a toy library. The centre is the only access point for a wide range of essential services for children and families in Hearst and the surrounding area. They also counter the effects of isolation in a remote northern community.

Additional cuts will threaten the quality and scope of services, even the existence of the centre. We urge you to spare regulated day care services and resource centres from additional cuts.

Your government's solution of having children cared for by family and neighbours is not realistic and does not respond to the needs of families in this region. Regulated day care services are crucial to the stability and health of a community, particularly a northern community. Your government must reconsider and preserve the quality of daycare services for the children of this province.

I might point out that I got a letter from Hearst, from André Rhéaume, who's the president of the association—he's also a grandfather—and Nicole Lauzon, who's a parent. They're very much concerned that the Conservative government is trying to close down this day care centre. They want it preserved for the safety of the children in northern Ontario.

#### FISCAL RESPONSIBILITY

**Mr Joseph N. Tascona (Simcoe Centre):** Since our government came into power on June 8, we have been working towards balancing our budget. The overspending by the previous two governments in the last 10 years has left Ontarians paying \$9 billion on interest payments on our provincial debt. That is more than we spend on social assistance, more than the budget for hospitals and more than we spend on all levels of education, including colleges and universities.

I wish to state my support for the government's actions. We are simply trying to correct the irresponsible spending of the two previous governments. In his economic statement, the Minister of Finance delivered a solid financial plan which will help get our province back on track. We will work towards eliminating our deficit. We will work to ensure that our services do not deteriorate. We must look to the future and plan our children's future.

I wish to state that as the MPP for Simcoe Centre, I look forward to working with individuals, organizations, community groups and other levels of government in my riding to succeed in achieving this goal.

#### CANADIAN ASSOCIATION OF RETIRED PERSONS

**Mr Michael A. Brown (Algoma-Manitoulin):** I rise today to add my voice to the growing list of opponents to the Conservative government's draconian power grab, Bill 26.

The more people know about this bill, the more upset they are. Today we heard from the Canadian Association of Retired Persons. Were they concerned about Bill 26? You bet they were, and why shouldn't they be? Bill 26 imposes new user fees on seniors' medication, something the Conservatives promised they would not do. Bill 26 deregulates drug prices, driving up the costs to consumers. Bill 26 creates myriad new hospital user fees, something I know seniors in my riding are concerned about.

At their news conference this morning, CARP admitted that many of their members had in fact voted Conservative. They did so because Mike Harris promised them that he would protect seniors and protect health care. Mike Harris has not kept his promises.

No one voted to give the Minister of Health the unilateral power to close hospitals with the stroke of a pen. No one voted to give municipalities the power to impose a head tax. No one voted to give the Minister of Health access to their health records. No one voted for the draconian, dictatorial powers contained in Bill 26.

Now that the people know what's in this bill, there is no way you are going to get away with it.

#### LONDON DEMONSTRATION

**Mr David Christopherson (Hamilton Centre):** Yesterday, I had the privilege, along with my colleagues from Beaches-Woodbine, London Centre and Welland-Thorold, of joining the protestors on a bitterly cold day in London, where over 10,000 Ontarians converged on London en masse as an indication of the first step, the very first step in Ontarians fighting back against this undemocratic, dictatorial government. We will see many,

many more. We will continue to see these kinds of protests grow as people begin to fully understand, now that we've finally got a little bit of light and public input on Bill 26, exactly what this government is up to.

I found it interesting that the Premier said, commenting on this, that they didn't like the labour legislation because they have lost some power. The Minister of Labour said people have been calling her supporting the government. I'm not sure what world the Minister of Labour is living in, but if she ever decides to go to some of the public events she's been invited to and speak as the Minister of Labour, she'd really find out what people in Ontario think about her legislation and this government's legislation. I can assure you that London is very much just the beginning.

#### WESTVIEW SENIOR PUBLIC SCHOOL

**Mrs Lillian Ross (Hamilton West):** Last month, two boys, aged 10 and 11, went on a vandalism spree at Westview Senior Public School in my riding, causing upwards of \$80,000 in damage. These two boys left behind piles of broken glass, spilled paint and broken computers. The event left the community traumatized. The students, staff and families were shocked at the damage to the school.

But this past Saturday was a very special day for the staff and students of Westview Senior Public School as they decided to do something about it. Rebound Day was held on Saturday to raise money to help cover the cost of replacing some items not covered by the insurance. Their goal was to raise \$10,000 at this one-day event. In the end, after the craft sale, penny sale, silent auction, bake sale and other events, they not only met their goal but exceeded it, and found their results at the end of the day totalled \$10,500.

The event was spearheaded by Mary Beth Beasley and Jim Moffat, who were concerned that the children of Westview would develop a victim mentality after this terrible incident. These two individuals wanted to show the students how to make the best of a bad situation. I would like to applaud Mary Beth Beasley, Jim Moffat and principal Chuck Taylor for their time and energy in organizing this wonderful event, and the staff, students and community for their participation. I congratulate everyone involved—

**The Speaker (Hon Allan K. McLean):** The member's time has expired.

#### STATEMENTS BY THE MINISTRY AND RESPONSES

##### WORKPLACE HEALTH AND SAFETY AGENCY

**Hon Elizabeth Witmer (Minister of Labour):** In late August, I asked the Provincial Auditor to conduct a comprehensive financial audit of the Workplace Health and Safety Agency in conjunction with the government's decision to revoke the appointments of its board of directors and dismantle the agency.

The report of the auditor indicates that the agency suffered from management and accountability problems. Specifically, the auditor says the agency's "management systems, controls and practices were weak; there was a lack of due regard for economy and efficiency in the

acquisition and management of resources," and "adequate procedures were not in place to measure and report on the effectiveness of the agency in meeting its objectives" of reducing workplace accidents.

I would like to review some of the auditor's findings. His report says there were "serious delays" in the development of the sector-specific training programs due to several factors, including "the inability of the agency's senior bipartite management to reach consensus on several key issues, including duration of training, delivery methods and program pricing."

As a result, training was ready for testing in only one of 20 sectors at the end of October of this year, even though the agency had spent \$9 million on the sector-specific project. That's why the project was suspended on November 9.

In addition, the auditor reports that just over half of the estimated 60,000 workers and managers who require core certification training had been trained by the end of October, even though the cost of the program to employers has been \$83 million to date.

The auditor also outlined a series of management problems. The agency spent \$22 million over a five-year period to buy goods and services without adequate planning, and in some cases without adequate needs assessments or cost analysis or without following proper competitive purchasing processes. For example, requests for proposals were not obtained for a series of management consultant studies totalling \$817,000, contrary to government requirements. As a result, operating costs billed by the consultant were significantly higher than those charged by other companies.

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According to the auditor, the agency paid about \$750,000 per year for 37,000 square feet of office space, almost double the per capita space considered necessary under the Ontario Realty Corp guidelines. The auditor found that the agency acquired advertising and creative communication services exceeding \$500,000 in 1995 despite a Management Board freeze on advertising and without using the Advertising Review Board, as required by Management Board.

The auditor also found that in recruiting staff for the agency, open, competitive recruiting practices were not followed. In addition, severance packages prepared for senior management and non-bargaining-unit employees last August would have been about \$1.1 million in excess of the amount allowed under the agency's original policies. These have been rescinded.

As well, five members of the agency's senior management were provided with leased cars at agency expense even though none of them were entitled to have a vehicle under Management Board rules. These leases have been cancelled.

The auditor's report confirms the government's decision to disband the agency and undertake a thorough review of the health and safety delivery system in the province. Brock Smith, a former Ontario deputy minister, is heading up the team, which is now reviewing the health and safety system, including how to best merge the



activities of the agency into the Workers' Compensation Board. The auditor has made a number of recommendations as a result of his review, and they will be given to Mr Smith as well as the Workers' Compensation Board when it assumes responsibility for health and safety.

Workplace health and safety is a priority for our government. We will take whatever action is necessary to provide workers and employers with effective health and safety training. The auditor's report, combined with the work of Mr Smith and his team, as well as the other measures that we are taking to educate and promote health and safety among our young people, will ensure that we have in this province the best possible health and safety program for all of our workers.

#### ACQUIRED BRAIN INJURIES

**Hon Jim Wilson (Minister of Health):** I'm pleased to announce major improvements to our services to people with acquired brain injuries. By reinvesting in Ontario-based acquired brain injury services, we are increasing Ontario's capacity to provide services and saving taxpayers \$9 million a year.

Currently the government pays \$21 million annually for the 76 patients that are being treated in the United States. Under our new plan, we will bring home within the next three years all 76 patients currently receiving rehabilitation in US health care facilities.

It will allow every Ontario resident, if they are so unfortunate as to be struck down by an acquired brain injury, the opportunity to receive rehabilitation and treatment services in Ontario. Not only is it cruel to force patients to be treated outside of the province, away from their families and loved ones, but it is also much more costly.

This is a much more efficient way of doing business than has been practised in the past here in Ontario. As most members will know, the former government refused to provide funding for these patients to be treated in Ontario-based facilities. This made us totally reliant upon public facilities, which couldn't handle all of Ontario's needs.

The Ministry of Health will use the expertise of acquired brain injury professionals, providers and consumers to help us coordinate the new plan.

I can't emphasize this enough: I'm extremely pleased to be able to make this announcement today.

An acquired brain injury is a truly devastating disability. It is one that occurs after birth. Traffic accidents cause about 50% of them, and young males from the ages of 16 to 24 are the largest single group affected. Other causes of acquired brain injuries for young people six to 15 years of age include bicycle and bicycle-motor vehicle accidents. Seniors and children under the age of two can experience acquired brain injuries as a result of falls.

There are about 12,000 new acquired brain injury patients every year in this province. Most never return to full-time employment. Up to 2,500 are left with lifelong physical, intellectual or behavioural difficulties.

I hope today's announcement brings a great deal of relief, security and satisfaction to the many thousands of Ontario residents who are either directly or indirectly affected by acquired brain injuries.

I would like to thank Chedoke McMaster Hospital and the provincial acquired brain injury advisory committee for their work to improve the lives of people with this disability. Thousands of people across Ontario have benefited from their efforts.

The best Christmas present that my government can give to the families of brain-injured patients is the hope that loved ones will soon be back home. I'm proud to say that with today's announcement we have provided this hope by expanding Ontario-based services.

#### OATH OF ALLEGIANCE

**Hon Bob Runciman (Solicitor General and Minister of Correctional Services):** Today I'm pleased to announce the amendment of regulation 144/91 under the Police Services Act to reinstate the reference to Her Majesty the Queen in the prescribed oath or affirmation of office taken by new police officers, special constables, first nations constables, auxiliary members of a police service and members of police services boards.

This government made a commitment to restore a number of traditions that still have a central and important role in our lives.

The amended regulation now provides an individual with the option to swear loyalty to Her Majesty the Queen in addition to swearing allegiance to Canada and upholding the Constitution of Canada.

Allegiance to the monarchy of Canada is one of the hallmarks of our society, and I am pleased and proud to restore this symbol of loyalty to Her Majesty in policing legislation.

#### WORKPLACE HEALTH AND SAFETY AGENCY

**Mr Dwight Duncan (Windsor-Walkerville):** It's interesting that the Minister of Labour in tabling this report of the auditor has not tabled and will not table in this House the reports of her review team on health and safety. But I guess we shouldn't be surprised, because the government seems intent on not discussing meaningful issues in this House, it seems intent on not having hearings in this province, and the behaviour is completely consistent.

I challenge the minister and I challenge the government, when the review team that's looking at how we deliver health and safety in this province tables its report, we challenge you to bring it to the House and we challenge you to have full hearings on it.

We know what your agenda is. Your agenda is to gut health and safety in this province. Your agenda, the agenda of that committee, is to see to it that we have no more functioning, effective enforcement of health and safety in this province.

But of course you won't want to talk about that. You won't want to talk about it just like you didn't want to talk about Bill 7. You won't want to talk about it just like you didn't want to talk about the 43 bills in Bill 26. You won't want to hear what the people have to say. You won't have to hear the important contribution that people in this province can make to this legislation.

I challenge the minister not to abuse the processes of this House, not to abuse the privilege of members. Bring forward the report. Allow it to be debated, allow it to be

heard, and let the people of this province cast judgement and have input into it. We challenge you to do that and will look forward to debating it in the House.

1400

#### ACQUIRED BRAIN INJURIES

**Mrs Elinor Caplan (Oriole):** Indeed, nothing is more devastating to an individual and a family than brain injury. However, today what we hear from the Minister of Health is nothing more than his continued communication strategy, a rollout of good news.

I would say to him that it's an unbelievable statement for him to suggest that any previous government did not want to see these services provided in Ontario. I can say from my perspective, that is patently untrue. The establishment of a centre that could provide appropriate, compassionate and comparable care with the kind of care that individuals had been receiving in specialized centres I think was the goal for all of us here in Ontario.

We wanted people to be able to be treated as close to home as they possibly could, but we wanted to make sure that treatment was not only appropriate but was going to respond to giving them the best quality of life and the best chance to recover that's possible.

This plan that the minister has announced today is very short on details, and I would ask him in very short order to give us the details of that plan so the families can have comfort that those in their family who are suffering from acquired brain injury will know what their future holds. He says that this is a three-year plan. Minister, you must put those details out so that people can start planning their lives and know what will be happening to their loved ones.

I do go on, just to point out that I believe the purpose of the minister's announcement today is to distract attention—it is a manipulation—from the absolute powers that he is giving himself: the powers to close hospitals; the powers to control how, what, when and for how much doctors will practise; the power to bring in new user fees and higher drug costs to the people of the province of Ontario.

I say to him, to the members of the Conservative caucus, you can have a good-news announcement in this House every day from now until Bill 26 passes. What I tell you is, you can continue that rollout until the day of the next election. Nobody will forget. Nobody will forgive you for accumulating the kind of absolute powers you are giving to this minister, and this announcement and others will not detract from the absence of democratic process that you are choosing to do that with.

#### OATH OF ALLEGIANCE

**Mr David Ramsay (Timiskaming):** It's ironic that the Solicitor General's announcement talks about the reinstatement of traditions and yet he's not here in the House to hear the response from the opposition, which I guess is very typical of this government, because of course they are also trashing the traditions of parliamentary debate and trashing the traditions of the representative and the role of an MPP in this House. I would ask that the government bring back those cherished traditions and that the role of the elected member should be

cherished also in this House, and the cherished tradition of parliamentary debate, of having that thoughtful debate back and forth on issues that you have decided to suspend with the introduction of Bill 26, is something that we in the opposition implore you also to bring back.

We have an opportunity now in January, thanks to some precipitous action on behalf of both opposition parties, only after which have we made it possible for the people of Ontario to have some input on this amending bill of 44 different pieces of legislation. So I would again ask the government to start to bring back some of those traditions.

#### WORKPLACE HEALTH AND SAFETY AGENCY

**Mr David Christopherson (Hamilton Centre):** As seems to be the pattern with this government, the document in question, the actual auditor's report, I didn't receive until the minister was already into her statement. Therefore, it's difficult to comment on the individual specifics, but I do have a number of points to make that I think are important to get on the record.

First of all, in the amount of time I've had to look at this, I haven't seen anything that's particularly new in terms of some of the findings, the overall general findings. In fact, there was a report commissioned by our government, by our Minister of Labour, in February 1995 that was conducted by Dr Tuohy, and anyone familiar with the health and safety movement in Ontario will be familiar with Dr Tuohy's report. In this report, she goes at great length to examine not just the accountability structures that are in place but indeed all aspects of the health and safety agency, at the request of our government, because it was a new entity and because it's so important.

I would suggest, with the greatest of respect, that the intention of the government with regard to asking the auditor to do this was nothing more than trying to provide some political cover for a decision they had already made. They had said on August 23 that they were firing all the members of the board and that they were planning to kill the agency and then on September 7 said that they were going to have the auditor come in and have a look at it. If you're going to remove the agency, why bother looking at the detailed aspects of its functioning, when indeed that's already been done? Since you're planning to create a different structure for the delivery, I don't think that makes an awful lot of sense.

I would again put on the record that the health and safety agency provided more training, lowered injuries and fatalities in this province and did it at a lower cost than when it was with the WCB before. No matter how hard the government tries, it can't escape that fact.

#### ACQUIRED BRAIN INJURIES

**Mr Bob Rae (York South):** I want to comment on the announcement made by the Minister of Health. I would say to the minister with great respect, as we say, that the way in which he's made this announcement is truly unworthy of him and of somebody in his office. I say it for this reason: He must know, as was pointed out by my colleague the member for Oriole, that over the last several years many, many patients have been brought back to Ontario.



Just a few short weeks ago, there was an opening of an expanded facility at the West Park Hospital in my constituency. The planning for that expansion, and indeed funding for that expansion, took place throughout the time in which I was the Premier and in which my colleague the member for Beaches-Woodbine was the Minister of Health and Ruth Grier was the Minister of Health. For him to stand in this place and say that funding was refused by previous governments is a grotesque attempt to turn something like this into a partisan issue. It is truly unworthy of somebody who's Minister of Health. I could not believe my ears when I heard him say it.

The Chedoke McMaster centre, which he quite rightly applauded today, the entire work of that centre, the planning that was carried out by that centre, has been carried out under Liberal governments, under New Democratic Party governments and now by Conservative governments.

I say to the minister that there are times and days when he stands up in this place and says that health is too important to be turned into a partisan issue. He talks about giving to the families of people who have been injured in accidents a Christmas present, as if somehow he's some kind of benevolent despot who on one day decides to close a hospital and on another day decides to give certain people a Christmas present. He turns it into a partisan issue.

It is despicable that the Minister of Health would engage in that kind of conduct and turn this announcement and turn this direction, which I must say has been one that's been followed by all governments over the last several years, into some kind of cheap partisan announcement on behalf of his party. It's unworthy of him and is only a sign of how truly desperate he and his colleagues have become because of the steps they've taken in Bill 26 and the steps they've taken in restructuring. The Minister of Health should be ashamed of himself.

#### MEMBER'S PRIVILEGE

**Mr Richard Patten (Ottawa Centre):** Mr Speaker, I rise on a point of personal privilege. This emanates from the point of privilege that my colleague the member for Timiskaming had asked you to rule on and that is still under consideration by you.

On November 23, in response to a question from the member for Peterborough, the Minister of Correctional Services stated that the directive issued on November 7 to which the member for Timiskaming referred had indeed originated in 1989, when I served as Minister of Correctional Services.

You can appreciate that I've done some research on this matter, Mr Speaker. I have copies of two memos, from August and October 1989, to which the minister referred in his response on November 23. In fact, in 1989 they related to a specific job action at the Toronto Jail. Nowhere in these memos is surveillance of MPPs' offices mentioned. In fact, I would submit to you that the directive of November 7 resulted directly from the office of the Minister of Correctional Services and I felt it imperative for me to bring this to your attention.

I would ask the minister if he would correct the record. I might add that had these memos in 1989 referred in any way to contact with MPPs' offices, I would have omitted without doubt any such reference, as I believe that freedom of assembly is still a right in Ontario.

Mr Speaker, I offer these memos to you in your consideration on this ruling.

**The Speaker (Hon Allan K. McLean):** I thank the member very much. My staff and I discussed the issue yesterday about getting back to the member for Timiskaming and we will be doing that.

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#### MEMBERS' PRIVILEGES

**Mr Dominic Agostino (Hamilton East):** On a point of privilege, Mr Speaker: I have a memo dated November 9 from the manager of policy and planning for the freedom of information corporate unit to all area managers for Comsoc.

That memo, and I'll pass that on to you, Mr Speaker, if you have not seen it, in effect requires now that all inquiries to Comsoc on behalf of a constituent by an MPP be accompanied by a written consent form from that constituent.

I believe as an MPP you've got the right and the ability to serve your constituents. When they call your office, you are an advocate on behalf of your constituents and your job is to cut through red tape and help your constituents.

I think what this has done is impeded our ability for MPPs to serve their constituents, particularly individuals who have difficulty in mobility, disabled individuals who now can no longer simply pick up the phone, call their MPP and allow us to go to bat on their behalf.

What happens now is we must ensure that those people somehow get into the office and sign that form, and process that form through before we can make a simple inquiry why someone's cheque may have been delayed by a day or two or why an appeal has been denied.

I think it severely infringes on my rights as a member of provincial Parliament to deal with my constituency. I would ask you to rule on that, because if this is allowed to continue, what you are doing again is shutting down the opportunity for MPPs to be able to properly and effectively represent their constituents and fight on their behalf. I would ask you to rule on that.

**The Speaker (Hon Allan K. McLean):** The point has been made. Perhaps a question in the House would be a good place to start.

#### ORAL QUESTIONS

##### MUNICIPAL TAXATION

**Mrs Lyn McLeod (Leader of the Opposition):** My first question is for the Minister of Municipal Affairs. Minister, it appears that yesterday, advertently or inadvertently, you confirmed the fact that Bill 26 does indeed allow municipalities to implement poll taxes. You also stated that these provisions of Bill 26 were simply in response to requests from municipalities for greater powers, part of the flexibility that you claim you wanted to be able to provide municipalities. You indicated it

wasn't the Finance minister who wanted this for his budgetary purpose; it apparently wasn't the Chairman of Management Board who wanted to allow municipalities to charge a head tax or a poll tax. You did it in response to a request from municipalities.

I ask you today, could you please explain to us exactly which municipalities in Ontario asked for this very specific new authority to implement a poll tax?

**Hon Al Leach (Minister of Municipal Affairs and Housing):** The legislation says and the section says absolutely nothing about poll taxes. It is a general section to provide for user fees. It reads as follows:

"Despite any act, a municipality and a local board may pass bylaws imposing fees or charges on any class of persons,

"(a) for services or activities provided or done by or on behalf of it,

"(b) for costs payable by it for services or activities provided or done by or on behalf of any other municipality or local board; and

"(c) for the use of its property including property under its control."

I read that because obviously the members opposite haven't.

**Mrs McLeod:** We can at least read. We don't have a lot of time to read what's in this bill. We certainly can't get explanations of what the minister's intent is in introducing this bill, but we can read the bill. We can read a bill which goes on beyond what the minister just read, after having said that the local board may indeed "pass bylaws imposing fees or charges on any class of persons," and any class of persons may indeed be an individual, to say that this bylaw, under this section, may provide for "fees and charges that are in the nature of a direct tax for the purpose of raising revenue." It seems pretty clear in the language.

I want to come back and talk to you about poll taxes, poll taxes that are just one of the kinds of taxes which potentially a municipality could put in place to be able to recover some of the 44% in grant revenue loss because of the cuts your government has made. Don't stand up and tell us, as you always do, that all you're doing is giving municipalities flexibility, that you're just giving them what they ask. All you're doing is giving them the flexibility to raise new revenues to make up for the ones you've taken away from them, and in this specific case, the possibility of a poll tax, a poll tax which could be charged against each individual in a household.

Let's just assume for a moment that the poll tax would be \$100 and that you've got a family of four, so the municipality, under your law, could charge \$400 per family presumably for the use of libraries in the community, or for the skating rink, whether they use the libraries or the skating rink or not.

**The Speaker (Hon Allan K. McLean):** Put your question, please.

**Mrs McLeod:** If you don't think that's going to happen, tell me why your law makes it possible? And if you don't think the law makes it possible, will you simply amend this law, will you withdraw this section which makes it possible to introduce—

**The Speaker:** The question has been asked.

**Hon Mr Leach:** I'm going to repeat it.

We're going to give the municipalities the authority and the autonomy to do the job that has to be done, and we're going to continue to do that. The legislation says nothing about a poll tax, it says nothing about a head tax. There is no poll tax. If you want to make a straw pony out of an issue that just isn't part of the plan—

**Mrs Elinor Caplan (Oriole):** I have.

**The Speaker:** Order, the member for Oriole.

**Hon Mr Leach:** —give me the name of one municipality that you believe is going to implement a poll tax. Is it Thunder Bay? It must be Thunder Bay if you're so concerned about it.

**Mrs McLeod:** I would certainly hope that no municipality would ever consider it. I can't imagine a less equitable tax, a tax that has nothing to do—

*Interjections.*

**The Speaker:** Order, the member for Hamilton East.

**Mrs McLeod:** —with personal income, that has nothing to do with property, that has nothing to do with services actually used by the individuals that could have this tax put on their heads, each individual head in a household.

The minister has said that the reason it's here, the reason it is even a possibility, is because municipalities asked for it. Minister, I tell you again, the language is very simple, very direct and very dangerous. It says "fees and charges in the nature of a direct tax," and that wording is broad enough that it may include not only the possibility of a head tax but also the possibility of municipalities charging any other kind of tax.

You say you're only doing what they asked you to do. Do you intend to allow municipalities to charge local sales taxes? Do you intend to allow municipalities to charge a gas tax? We understand at least one municipality has asked you for this. Are you prepared to put any limits at all on the direct taxation powers of municipalities? Where will you draw the line on this simple and dangerous part of Bill 26?

**Hon Mr Leach:** I'm really disappointed and quite shocked that the member would take this type of approach. The municipalities are duly elected members who represent their constituencies—devious plots to do it, I don't know. I have faith in the municipalities to be able to carry out their responsibilities. Why you don't just amazes me.

**The Speaker:** New question.

**Mrs McLeod:** A lot of faith. I would just like to know that this government is not going to say you can do anything you want to do, including a new gas tax.

**The Speaker:** Who's your new question to? New question.

#### PRIVATE CLINICS

**Mrs Lyn McLeod (Leader of the Opposition):** I will direct my second question to the not-so-benevolent despot, the Minister of Health, because I want to turn to the sections of the bill that I truly believe are going to put Ontario's health care system on the road to two-tiered



health care where those who can afford it are going to be able to go to profit-based clinics where the services are paid for privately and those who can't afford to pay privately are going to have to wait in line for a very weakened public health system.

I know the minister is already shaking his head, but I believe that's what happens, that as this government squeezes the dollars out of the public health care system this minister is opening the door to new for-profit clinics to operate. That's what the bill tells us, Minister.

You've brought in amendments to the legislation that give you sweeping powers, without any check, to be able to open American-style, for-profit clinics, to decide what services they're going to offer and to determine unilaterally who's going to run them, who's going to operate them. You can call it what you like, but I truly believe that opening this door is opening the door to two-tiered health care.

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I ask you, why did you decide to give yourself this power? Why have you decided to open up Ontario's health care system to American-style, profit-making health clinics?

**Hon Jim Wilson (Minister of Health):** In the first part of the honourable member's question she seems to have problems with these clinics. There are 970 independent health facilities providing diagnostic services, X-rays, abortion services, dialysis, plastic surgery. I ask the honourable member, which one of these clinics today in Ontario would you like me to close?

**Mrs McLeod:** As I understand it—the minister has brought forward these amendments, so I trust that the minister can speak to them—independent health care facilities now can indeed provide insured services. The amendment that the minister proposes in Bill 26, which we are trying to understand in its entirety, will allow clinics which now provide non-insured services, the services that are paid for privately, not by the public system, to become independent health care facilities, clinics that the minister determines will open, determines who will run them and determines what services they will offer.

I think, Minister, in bringing forward this amendment you have made a fundamental change, and I have to assume that you want to make this change, that you want this new power, this new designation, in order to have new clinics that can offer services now offered by our hospitals, since you are also giving yourself the power to decide what services hospitals will offer and what services your new clinics can offer.

I have to ask you, Minister, what services you are prepared to see operated by these new clinics. I want you to give us today, because I want to make this clear—I don't want to raise alarm bells, if this is not what you're planning to do—an absolute assurance that you will not allow these new clinics, clinics that today in Ontario could not provide the services that hospitals provide, only the services that are not insured services, to provide services that the hospitals now provide.

Will you assure us that you're not going to let these clinics provide services that are publicly funded, clinics

that can charge others privately for the services they provide?

**Hon Mr Wilson:** I'm a little confused by the question, but I think I get the gist of it, and that is that you want to make sure, and we are in full agreement on this side of the House, that we do nothing that would violate the Canada Health Act.

There is nothing in Bill 26 that would allow this government to violate the Canada Health Act, and I'd remind the honourable member that non-insured services like plastic surgery already occur in clinics and patients pay directly for that. They're licensed by the province. Quality assurance provisions are there, and they are beefed up in Bill 26. For independent health facilities we of course pay the operating or technical fees, overhead costs, and we pay the professional fees in those facilities, and we'll continue to do that.

But, yes, for example, in some of our restructuring studies there are suggestions coming forward that small hospitals that may want to become ambulatory care centres would become ambulatory care centres providing outpatient services under the Independent Health Facilities Act. That is the reason why in every case of conversion to an independent health facility we don't require a tender, because we would hate a particular hospital to then have to tender out its services in an RFP process.

It would make sense in that case if it were to convert to ambulatory care—it would no longer be under the Public Hospitals Act; it would have to come under the Independent Health Facilities Act—that those patients would be covered fully under the Canada Health Act and under insured services, so I'm not sure what the honourable member is so worried about here.

**Mrs McLeod:** One of the reasons we're worried is because we're having difficulty knowing exactly what the minister is doing with his amendments and with his proposed restructuring. You can appreciate, Mr Speaker, that when significant changes to the public health system are being proposed and the minister will have all power to implement these changes if this legislation passes, we want to know exactly what the minister is planning to do.

Minister, the explanation you've just given me doesn't hold because, as I understand it, if you want to close a hospital and make that hospital into an independent health care facility still providing insured services, you can do that now. You don't need this amendment. You don't need an amendment that allows you to bring the clinics that now provide uninsured services, the services paid for privately, into the Independent Health Facilities Act.

I'm concerned that you're going to mix them, that you're going to have clinics that provide some services that people pay for and other services that the health care system is supposed to pay for, only the health care system can't afford to buy the services from that clinic.

I just want to take a moment to try, because I think this is so important—I worry. I've got a community that doesn't happen to have an MRI machine, which is the most up-to-date diagnostic technology you can get. I worry about the fact that my hospital—no hospital in northwestern Ontario can afford to put in an MRI

machine because they don't have enough dollars to do it, and they have even less dollars because of your cuts. I know that people in my community who can afford it go to the United States to get what they believe is the most up-to-date technology.

Minister, if you let a private clinic in my community provide that MRI service for those who pay for their service for an insurance physical, how are you going to say no to the person who says: "Why should I go to the States? I can afford to buy the service two blocks away from home. Why won't you let me buy the service?" Will you give us an absolute guarantee that you will never, ever allow a clinic to charge full-cost recovery so that the rich can get the best and those who can't afford it have to line up for publicly funded services?

**Hon Mr Wilson:** Thank you for the question. I can give you the absolute assurance that we will continue to cover MRI services as required under the Canada Health Act. In your own community in northern Ontario they used to have, up until a year ago, a portable MRI that did WCB claimants and did insurance claimants, and nobody complained about that.

Hotel Dieu Hospital in Windsor along with an American firm have thrown around an idea of putting a portable MRI there. But I agree with the honourable member, just to make sure the public understands the clarification, that's for those paying—

**Mr Dwight Duncan (Windsor-Walkerville):** Why don't you answer the question?

**The Speaker (Hon Allan K. McLean):** Order. The member for Windsor-Walkerville.

**Hon Mr Wilson:** —out of their insurance policy or out of workers' compensation. We are not changing that policy through our changes to Bill 26. We will continue to pay, in a single payor system, in a medicare system, for those services deemed medically necessary, including MRI services. There's no other plan here.

We did need some legislative changes to acts that needed to be updated over the past few years. I agree, there's quite a bit being done at once here. But the fact of the matter is, yes, we did need a legislative change to give us a good statutory basis to prevent hospitals from charging fees. Laurentian Hospital has been trying to charge fees for laboratory services and some of their pathology services.

I don't have that power. It's before the courts. It's one of the reasons we've got to get Bill 26 through. We expect the court case to come up in January, and our lawyers say we'll probably lose it because we only have regulatory power and we don't have a good statutory basis. This gives us a good statutory basis to make it very clear that hospitals cannot charge their patients for insured services under the Canada Health Act.

#### MUNICIPAL TAXATION

**Mr Bob Rae (York South):** I have a question for the Minister of Municipal Affairs and Housing. I'd like to ask the minister, if he's got a copy of the act in front of him, perhaps he could turn to page 147.

**Mr David S. Cooke (Windsor-Riverside):** No, he didn't have a copy.

**Mr Rae:** It's always a good idea to have the laws around when you're trying to change them.

Under section 220.1 and then it goes on to subsection 220.1(3)—I'm reading for the minister's benefit—in the middle of the page there's a little thing at the side that says, "Contents of bylaw." It says, "A bylaw under this section may provide for,"—and I'm quoting—"fees and charges that are in the nature of a direct tax for the purpose of raising revenue." I wonder if the minister can tell us what he understands that phrase to mean.

**Hon Al Leach (Minister of Municipal Affairs and Housing):** To the leader of the coalition, I had that right there to read back to you. Completely lost. Mr Speaker, give me two minutes. Let me take that on notice and I'll get back to you.

1430

**Mr Rae:** I'm not sure I can simply take notice on that question, Mr Speaker. The government is asking the Legislature today on second reading to approve the bill. We're being asked to vote today on the bill, and I'm asking the minister who's responsible for this section of the bill to tell me what he understands a "direct tax" to be. I'd like to know, and I think the citizens of the province would like to know, since municipalities are about to be given this very broad new power to charge direct taxes. I'd like to ask the minister once again, what does he understand by the term "direct tax"?

**Hon Mr Leach:** I found it, Bob: "In the nature of a direct tax" was included in the legislation to make it clear that there is no authority for charges of an indirect nature. This would be beyond the constitutional authority of the province. Municipalities will not be able to impose an income tax or sales tax. However, they can impose fees or charges for financial services on a consumption basis, as an example, per cubic metre of water used per residential unit or business property etc.

**Mr Rae:** Sometimes when we look at these things, it's important to look at the term. There are two kinds of taxes, as I understand it. There are direct taxes and there are indirect taxes, and we're now making it very explicit that the municipalities have the right to raise, generally speaking, direct taxes.

Under this heading of a direct tax, would you agree with many observers who say that it would now be possible for the municipality to levy a charge or a tax on all the people living in the municipality, regardless of their age, or some people living in a municipality? Would you agree with me that that is what is being proposed in this particular measure?

**Hon Mr Leach:** As I said yesterday, theoretically it probably does, but practically, if you can name one municipality of the 815 municipalities in this province that is going to take that action, give me their names. I'll go talk to them and tell them about the folly of their proposal.

I can also tell you that there are members on the opposite side that asked for this. The member for Kingston and The Islands, when he was head of AMO, asked for legislation like this. AMO has been after it for years. I'll be glad to carry back the message to the



municipalities that this party wants to give them autonomy and responsibility, and I'll let them know that you don't think they're responsible enough to carry that out.

**Mr John Gerretsen (Kingston and The Islands):** On a point of privilege, Mr Speaker: My involvement with AMO was approximately 10 years ago. If the minister can show me that we ever asked for a gas tax or a sales tax, I would like him to produce that right here and now.

**The Speaker (Hon Allan K. McLean):** New question.

**Mr Rae:** All I would say to the honourable member on that score is that the honourable member asked me to build a couple of subways. We did it, and you cancelled them. Don't talk to me about who asked whom to do what when they were in a previous responsibility.

I want to continue with the Minister of Municipal Affairs. I know he's getting some prompting from another former mayor. Perhaps he's confusing the member from Kingston with the member from East York, who, for all I know, did ask for these extraordinary powers. I don't know.

During the election campaign, the Premier said that if there was going to be a change in taxes and an increase in taxes, he thought there should be a provincial referendum before such a tax would be brought in. In fact, he committed himself to doing that many times and on radio programs.

One of the ironic features of this legislation is that it takes away the requirement for referenda with respect to changing certain bylaws. I'd like to ask the minister why a municipality that was about to introduce a tax of this kind wouldn't have to hold a referendum, since the referendum seems to be the preferred policy of the provincial government. Could you tell me why you would have taken away that requirement? If you're giving this extraordinary power to impose a brand-new tax and a brand-new set of taxes to the municipalities, why wouldn't you insist on a referendum?

**Hon Mr Leach:** There is a referendum, and it's held every three years.

**Mr Rae:** You may want to think about that answer before you go outside. I'm not sure it'll stand up to too much examination, because the Premier of the province didn't take that position and you're part of his team. He's not here today, but the Premier said that he thought if there were going to be taxes, which are bad things, by the way—I just thought I'd remind you. It's apparently bad for the province to bring them in but it's a good thing for municipalities to have the power to bring them in. This is the new commonsense doublespeak.

If a referendum is good enough for the province before it introduces a new tax increase, why wouldn't a referendum be required for a municipality that wants to introduce a direct tax?

**Hon Mr Leach:** I don't think there's anything in the legislation that stops a municipality from having a direct election any time it wants to on any issue it wants to. What we're saying is that you don't have to, that we know municipalities are responsible and will carry out their duties responsibly. If they want to have a referen-

dum, that's their choice. We want to give them choices, not dictate to them like many others did.

**Mr Rae:** I'd now like to ask the minister to turn to page 153 of the bill. At the bottom of page 153, on the left-hand side, section 257.7 says, "If there is a conflict between a provision in this part and a provision of any other section of this act or any other act, the section that is less restrictive of a local municipality's power prevails."

I wonder if the minister can explain that section for me and tell me why it doesn't mean that what is contained in this bill, which expands the unilateral power of a municipality, is increased even more by that section.

**Hon Mr Leach:** That's another one I'm going to take under advisement.

**The Speaker:** New question, the member for Scarborough-Agincourt.

*Interjections.*

**The Speaker:** Order. It's your time you're wasting.

*Interjections.*

**The Speaker:** Would you like to come to order? We could have another question.

**Mr Gerry Phillips (Scarborough-Agincourt):** I have a question for the Minister of Municipal Affairs. We talked today to the legal officials in the Ministry of Finance about what you likely mean by "direct tax." What was indicated to us in that conversation was that "direct tax" did indeed mean a head tax, but it also could be a sales tax, it could be a gas tax or it could even be an income tax.

My question to you is quite simple: What taxes did you envision the municipalities wanted to implement when you gave them this right?

**Hon Mr Leach:** They could charge for the use of arenas, for water, in rural municipalities I understand they can charge for street lighting, any number of things that municipalities have been after for many, many years.

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**Mr Phillips:** I think the public is beginning to realize now that this is the bill this government wants passed today.

It is very clear, Minister, that what you're doing is giving the municipalities the unilateral right to impose these taxes. They've asked for it and you've said you're going to give it to them. You also take away any right of people to appeal to the OMB. That's part of this bill—no appeal to the OMB.

I say again, yes, we understand user fees, but we want a direct answer to a direct question. Surely you know the answer to this: What taxes do you envision the municipalities implementing as a result of you giving them this power to put on a head tax, to put on a sales tax, to implement income taxes? Specifically, what taxes are you expecting they will implement?

**Hon Mr Leach:** "Garbage" is a good answer to that question. They can put a tax on it. But I don't understand where you got the idea that they can't appeal to the OMB. The only thing that can't be appealed to the OMB is minor variances. You can still go to the OMB.

**The Speaker:** New question, third party.

**Mr Rae:** To the same minister, under the Constitution of Canada, the federal government has the power to levy indirect taxes and the provincial government has the power to levy direct taxes. That's the distinction that's set up in our Constitution. That means the province has the power to levy sales taxes, it has the power to levy property taxes and it has the power to levy taxes directly on a person or on a class of persons. That's how we understand it.

I would come back to the minister. You've used a term here, "direct tax." Would you not confirm for me, Minister, whether this effectively means that what the province is doing is devolving all of its taxing power to the municipalities for the same class of taxes and the same group of taxes that the province itself now levies? Can you explain to me, if I'm wrong—and I hope I am wrong—why you would have used these words and why you would devolve that kind of power to a municipality?

**Hon Mr Leach:** As I said before, "in the nature of a direct tax" was included in the legislation to make it clear that there's no authority for charges of an indirect nature. The municipalities will not be able to impose income tax or sales taxes.

**Mr Rae:** No, whoever wrote that briefing note doesn't understand what a direct tax is and what an indirect tax is, and that's the problem you've got.

The province has the power now to levy direct taxes. That's established under subsection 92(2) of the Constitution. That power has very clearly been defined through a whole series of tax decisions of the last 125 years. The province has the power to levy taxes on sales, it has the power to levy taxes on consumption, if it's paid by the person who's actually consuming the product.

I want to ask the minister again: You are devolving an incredible set of powers to a group of municipal politicians, you're requiring no referendum, you're potentially changing the entire nature of the tax system in this province in terms of who will pay. Whatever happened to that old song, "There's only one taxpayer"?

**Hon Mr Leach:** I go right back to the original part of this debate. We're reducing the amount of money that's going to be available to municipalities. The municipalities came back to us and said, "Give us the tools to do the job." We agreed that we would give them the right to have user fees and licensing fees. They have it. We believe that the municipalities are responsible, that they'll carry it out responsibly, and I'm sure they will.

**The Speaker:** New question, the member for Kingston and The Islands.

**Mr Gerretsen:** My question is to the Minister of Municipal Affairs and Housing. In an answer to my colleague here, you just indicated that there is an appeal to the OMB with respect to these taxes. I wonder if you could just take a look at page 148, subsection 220.1(9). It states, "If a municipality or local board has imposed fees or charges under any act, no application shall be made to the municipal board under clause 71(c) of the Ontario Municipal Board Act on the grounds the fees or charges are unfair or unjust." You just indicated that there is an appeal to the OMB. This is in direct contra-

vention to this section. How do you explain that, Minister?

**Hon Mr Leach:** I stand corrected. Thank you.

**Mr Gerretsen:** Since the minister obviously didn't realize this section was in the act, let me ask you this: From the comments that were made to the media by both the Minister of Finance and the Chairman of the Management Board, one would get the distinct impression that those two particular ministers don't agree with the poll tax idea either, so why don't you put it in the legislation that under no circumstances can municipalities either charge a head tax or a poll tax? Why don't you do the right thing?

**Hon Mr Leach:** There's absolutely no intent to have a poll tax or a head tax. Everybody in this House knows that. If you can name one municipality that's going to do it, just one, any of the 815 municipalities, John, just name one that's going to do it and I'll put it in.

**The Speaker:** New question.

**Mr Rae:** Let me again come back to the minister. What you've done in this bill is that you've devolved your taxing power to the municipalities. All the range of things which the province can now tax you're saying the municipalities themselves can tax. That's what you're doing with this measure.

Having done that, I'd like to ask you this: In the last election, Premier Harris promised that he would introduce a taxpayer protection act which would allow for a referendum requiring majority public approval or a general election for any provincial tax increase. What you are doing in this measure is devolving your power to the municipalities and then you're saying: "You guys go ahead and raise your taxes. We'll lower our taxes. You raise your taxes."

I want to ask the minister once again, why would you not at least require a referendum to be held before this kind of tax increase can be imposed? In the case of Metropolitan Toronto, you're talking about two million people living in this municipality. One council, on one night, can make a decision to impose a tax, a power they've never had before which you're granting to them. Why would you not insist on a referendum before they carry out that kind of tax increase?

**Hon Mr Leach:** As I said before, because we have faith in municipalities to be responsible. They're duly elected by the same citizens who elect us. Why do you think they're not responsible enough to carry out their elected duties? They certainly are. If they want to have a referendum, they can have a referendum. If they don't choose to have a referendum on any specific issue, that referendum is held every three years, as I said before.

*Interjections.*

**Mr Toni Skarica (Wentworth North):** On a point of order, Mr Speaker: I'm in the rump here and I cannot hear the minister's answer, because the opposition constantly interrupts the minister.

*Interjections.*

**The Speaker:** Order. I'm having trouble hearing too. I don't understand why we can't have some decorum in the Legislature.



*Interjection.*

The point of order can come afterwards. Supplementary?

1450

**Mr Rae:** If my colleague is in the rump, he must be where all the brains are.

I'd like to ask the minister by way of final supplementary—I've obviously upset my colleague.

I wonder if I might ask the minister this simple question: The Premier told us all in the last election that if he raised taxes he would resign. That's the most solemn commitment he made to the people of the province. He told us that he would resign if he raised taxes.

Can the minister tell us why, when you in fact are simply transferring this power which you have to raise taxes directly to the municipalities, the Premier shouldn't have to resign, because he's clearly broken his promise?

**Hon Mr Leach:** That really is not a very appropriate question. We're not raising taxes. We have no intention of raising taxes. Most of the municipalities, and I include the city of Toronto, the city of Scarborough, the city of Mississauga, indicated that they won't be raising taxes to accommodate these cuts.

**Mr Gilles Pouliot (Lake Nipigon):** Get the hell out.

**The Speaker:** Order. The member for Lake Nipigon is out of order and I will not warn him again.

*Interjection.*

**The Speaker:** The member for Fort York is out of order and I won't warn him again.

STAR\$

**Mrs Janet Ecker (Durham West):** My question is for the Chair of Management Board. In my riding, the community of Ajax instituted an eight-week pilot project which saved over half a million dollars in taxpayers' money by implementing the cost-saving suggestions of the town's employees last year. This was a model that was adopted from successful private sector models for saving money.

The program is still used by Ajax, and they anticipate a \$2-million saving in the coming fiscal year. The project is called STAR\$, Saving Town of Ajax Real Dollars. It was a major success story which has been covered by the television show W5. Has the minister heard of this program and its success?

**Hon David Johnson (Chair of the Management Board of Cabinet):** I just happen to have a leaflet with regard to the program, and I must say, over the caterwauling from the opposition party, I happen to believe that this program, the Saving Town of Ajax Real Dollars program, shows that this particular municipality and most of the municipalities, if not all of the municipalities, of Ontario are very mature, very responsible and spend, I must say, money much more wisely than this provincial government has done over the last 10 years.

I commend the town of Ajax for its initiatives in terms of reducing spending by some \$500,000 in terms of over 1,000 initiatives, and I can say it's refreshing to see a municipality that's spending taxpayers' money wisely when the advice that I received, as mayor of East York

in my former capacity, from the previous government, the NDP government, was that the municipalities should take on more debt. That's the kind of advice we got from the previous government. Here's the kind of action we're getting from local government in the province of Ontario, real savings for the taxpayers.

**Mrs Ecker:** Would the minister be willing to review the Ajax program to see if it could be adopted as a model for cost savings, both within the government and as an additional tool for our transfer partners?

*Interjections.*

**The Speaker (Hon Allan K. McLean):** Order. The member for Hamilton East is continuously out of order and I won't warn him again.

**Hon David Johnson:** The member for Durham West raises a very legitimate question and suggestion, and I'm sorry that the members opposite don't treat this more seriously, because indeed the municipal governments have a great deal of expertise. I see some of the members acknowledging that. Frankly, in the debate that we've had here today, earlier in this Legislature, you would wonder on the level of confidence in the municipalities, and I can tell you that my party and this government have a great deal of confidence in municipalities and, yes, there are many good suggestions in here. We will certainly look at the comments and the suggestions of the town of Ajax.

The province of Ontario, as you will know, is going through a process of restructuring the civil service. We have committed to reducing the internal workings, the operations and the administration, by some \$1.4 billion. I think Ajax and other municipalities, who are responsible and who are spending taxpayers' dollars wisely, have a great number of comments that we could take to heart and will assist us in running the province of Ontario.

#### MUNICIPAL TAXATION

**Mr Sean G. Conway (Renfrew North):** My question is to the Minister of Municipal Affairs and Housing and I'd like him, once again, to turn to page 147 of his bill.

Minister, it could not be clearer in subsection (2) of section 220 of your bill that this legislation clearly provides municipalities with the right to enact bylaws to impose user fees. That is clearly the intention of subsection (2).

But on to subsection (3), and the language is equally clear. Your bill, in language that is crystal clear, makes plain that you will, by this legislation, give municipalities the right to impose, by bylaw, direct taxes which are, I remind you again, gasoline taxes, sales taxes, head taxes, to name but three. The language of your bill is crystal clear.

If you do not intend that municipalities have this power to impose these kinds of direct taxes, why do you in your bill provide the right for them to do so?

**Hon Al Leach (Minister of Municipal Affairs and Housing):** Again, we're giving the municipalities the autonomy and the authority they require to do the job. It's autonomy and authority that they've been asking for for many, many years. We know that they're duly elected by the taxpayers, the same taxpayers who elect the members of this House. I am very confident that if the

municipalities don't carry out their authority responsibly then they'll pay the price at the polls, as they should.

**Mr Conway:** I ask you now to turn to the bottom of page 148, looking at subsection (2) of section 223, where it says very clearly that a council which proposes by bylaw to impose head taxes, gasoline taxes, sales taxes, income taxes, can, according to this section, "eliminate the requirement to obtain the assent of the electors" before passing such a bylaw.

**Mr Richard Patten (Ottawa Centre):** Incredible.

**Mr Conway:** Incredible. Your bill—let me repeat—gives municipalities clearly the right by bylaw to impose head taxes, sales taxes, gasoline taxes or income taxes, and your bill gives municipalities the right to waive any opportunity for electors to have a say about the imposition of such direct taxation.

Why would you want to proceed in such an incredible fashion, given the stated policy of your Premier about his concern about taxes generally, the thought of raising direct taxes of any kind, and particularly Taxfighter Mr Harris's solemn promise that there should be no such increases in taxation of a direct kind without the electors having their say through a plebiscite or referendum before such direct taxes might be imposed?

**Hon Mr Leach:** The question sounds familiar. The answer is the same. The municipality can have a referendum if it chooses to do so. If it chooses not to do so and it carries out some actions that are offensive to the taxpayer, the taxpayer will sort that out in the November elections that come every three years. That's the ultimate referendum.

1500

#### TENANTS

**Mr Gilles Bisson (Cochrane South):** My question is to the same minister. Minister, as the critic responsible for housing issues for my party, I've had the opportunity to meet with numerous amounts of tenants across this province. These tenants are telling me that they're desperately trying to get in to see you in order to talk to you about what you plan on doing in regard to your housing policies in this province.

We're finding out that even after they get a commitment to meet with you, in the end you end up backing out of those particular meetings. By way of example, you were to speak at the annual general meeting of the Federation of Metro Tenants' Associations on October 28. What did you do? You backed out. You were supposed to meet with other particular tenants' groups. You were supposed to meet and they had commitments to meet with you. You backed out again.

I want to know, if you're making changes to housing policy to the extent that you are in this province, which tenants are you meeting with in this province in order to get input into the process?

**Hon Al Leach (Minister of Municipal Affairs and Housing):** I'm quite prepared to meet with any tenants' groups, and I have. United Tenants of Ontario is a great example; I met with them on several occasions.

**Mr Bisson:** If you're prepared to meet with any tenants' groups, why are you not meeting with the tenants

within your own riding? The tenants at Regent Park have been trying to meet with you now on a number of occasions. They're here in the gallery because you won't meet with them; they've got to come down here and try to find you. On two occasions, the tenants from Regent Park have contacted either your minister's office or your member's office in order to get in to see you, and you don't have the decency to show up to the meetings that you're supposed to go to.

I want to ask the minister very directly one simple question: Are you prepared today, exactly right now after question period, to meet with the tenants of Regent Park and give them the opportunity to meet with you? If they can't meet within your riding, at least meet them here at Queen's Park.

**Hon Mr Leach:** If they contact my constituency office, I'll meet with them.

**Mr David S. Cooke (Windsor-Riverside):** They have.

**Mr Tony Silipo (Dovercourt):** They tried that and you said no.

**The Speaker (Hon Allan K. McLean):** Order.

**Hon Mr Leach:** If they contact my constituency office, I'll meet with them on Friday.

**Mr Silipo:** I guess that's a no.

**The Speaker:** New question, the member for Halton Centre.

**Mr Silipo:** If you don't meet with them and you don't read legislation, what do you do?

**The Speaker:** The member for Dovercourt is out of order. The member for Dovercourt, I won't warn you again.

#### ARTS AND CULTURAL FUNDING

**Mr Terence H. Young (Halton Centre):** My question is for the Minister of Citizenship, Culture and Recreation. Minister, in the wake of November's financial statement, we've been hearing a number of concerns about cuts to the arts community. Some of those concerned individuals have even gone so far as to say that infrastructure built up over the last 30 years is in jeopardy.

Minister, can you reassure this House that the province's arts community still has the means to remain viable into the next century?

**Hon Marilyn Mushinski (Minister of Citizenship, Culture and Recreation):** To the honourable member for Halton Centre, I'm very pleased that he asked that question. What I can tell the honourable member is that during the NDP's term in office, the Ontario Arts Council's budget increased by 37%; that's 37% in five years. Indeed, that included a one-time \$7.5-million addition in 1991-92.

What I can also add is that the recent financial statement in-year restraints and the targets for next year mean that we are returning the Ontario Arts Council's budget to levels that are more consistent with past practice. That's before the implementation of the NDP's hand-over-fist spending policies.

**Mr Young:** What steps has the government taken to assist the Ontario Arts Council and other cultural



agencies in light of the recently announced financial statement?

**Hon Ms Mushinski:** I met with many of the administrators of the various agency groups in September and they suggested to me that they are willing to go out and seek independent funds. However, they needed the tools with which to do that. Contrary to what previous governments have done, we have given many of our agencies crown status to put them on a level playing field to go out and raise funds from the private sector.

#### MUNICIPAL TAXATION

**Mr Gerry Phillips (Scarborough-Agincourt):** My question's to the Minister of Municipal Affairs, and it's still on page 147. It is the subsection (3), "A bylaw under this section...." It's the one dealing with your intent to allow municipalities to impose taxes: head taxes or sales taxes or gas taxes or even income taxes. Clause (e) here says that this bylaw may provide for dealing with "different classes of persons" and may allow them to "deal with each class in a different way." Can you indicate what different classes of people you had in mind here and what way you might treat them differently?

**Hon Al Leach (Minister of Municipal Affairs and Housing):** We had in mind seniors, for example, or school children, where they get half fares or they can be exempted from costs.

**Mr Phillips:** So just to be clear on that: As you are allowing municipalities to implement the head tax, or a sales tax, you are also giving them the complete flexibility to decide which groups will pay the head tax and which groups will not pay the head tax. You are not planning to put anything in this document around fairness and equity, but rather leave it to each municipality to decide what taxes they are going to impose and what groups, or classes, as you call them, of people they're going to impose them on. Is that the intent of your law?

**Hon Mr Leach:** The intent of this legislation is to give the municipalities the autonomy they need. If municipalities want to exempt seniors, then I think they should have the right to do that. If they want to exempt children from certain fees, they should be able to do that. I think, again, that municipalities are responsible.

#### AFUA BOATENG

**Mr David S. Cooke (Windsor-Riverside):** My question's to the Solicitor General and it concerns the death of four-year-old Afua Boateng, the four-year-old that the Roman Catholic children's aid society has been involved with for quite some time.

I'd simply like to ask the minister, since he has responsibility for the coroner, this is a very tragic situation that the children's aid obviously had been involved in for several weeks, and I'm sure it's a concern of his, as it is of ours, that the society would be that heavily involved with this child and still there was a death, and I'd like to ask whether, in addition to the police investigation and the judicial proceedings, the minister is prepared to commit to a coroner's inquest that would look at the role of the children's aid society in this particular case to discover what went wrong so that a tragedy like this never occurs again in our province.

**Hon Bob Runciman (Solicitor General and Minister of Correctional Services):** I appreciate the member's concerns surrounding this issue. I know that we all are very much concerned about the tragic circumstances surrounding this death. As the member knows, the matter is now before the courts. There's been a charge of second-degree murder laid in respect to this incident.

I'm advised that the Ministry of Community and Social Services has asked the Catholic children's aid society to conduct a review, and it will provide a serious occurrence preliminary report, according to ministry guidelines. Also, the Toronto area office of the ministry will review the society's actions and submit a final report to the ministry.

That does not in any way, shape or form preclude involvement of the coroner's office, and certainly I will apprise the chief coroner's office of the concerns raised here today. It's not within my area of responsibilities to direct the chief coroner to undertake such an investigation, but I'll certainly make him aware of the member's concerns.

#### 1510

**Mr Cooke:** The minister will be aware that cases like this have happened in the past, in particular a number of cases in the 1970s, and I'm not asking that a coroner's inquest would be held into items that would be in conflict with the court case that will now be going on. There were coroners' inquests that were held in the 1970s that made some very specific and helpful recommendations both for changes to law but also changes to procedures used at children's aid societies.

I think that an internal investigation is obviously appropriate, but it's also very appropriate that there be a public process so that any changes in policy and any changes in law that would be helpful to prevent this from happening again could in fact take place. That can only take place with public scrutiny.

So I'd ask the minister again. He can make a request to the coroner that this be examined and I'd ask that this be considered. This is a very serious situation that has to be dealt with in order to maintain confidence in our child welfare system.

**Hon Mr Runciman:** Again, I recognize the importance of the question the member is posing. I have some concern in respect to anything that might be inferred as directing the chief coroner's office to do certain things. I certainly will, as I indicated in my earlier response, make sure that his office is very much aware of the concerns being expressed here today.

I share the views that he expressed related to the results of inquests into somewhat similar circumstances in the past and serious incidents in the past where the recommendations of coroner's juries have indeed led to significant changes, positive changes in terms of how the province and agencies of the province deal with individuals in Ontario society.

At this point all I can do is again reiterate my assurance to the member that I will convey his concerns and the concerns of many of us in this assembly to the chief coroner.

## CORRECTIONAL FACILITY COSTS

**Mr John O'Toole (Durham East):** My question is also for the Minister of Correctional Services. Recently, top federal corrections officials stated that swift action is needed to avoid a financial and social crisis in the federal penal system. The sentencing and corrections review group stated that the growing prison population has created spiralling costs and that a crisis was looming. In the medium term if government does not act to create an effective, sustainable system of policing, sentencing, corrections and parole, the system is in trouble. Minister, do we face a similar problem in Ontario?

**Hon Bob Runciman (Solicitor General and Minister of Correctional Services):** I thank you and I appreciate the question. We do indeed face many of the same challenges that the federal system is facing with respect to its corrections system. In fact, Ontario, as I've indicated in this House in the past, has the highest incarceration costs in Canada. We've discussed with many members of this assembly, who have some of the older jails in their ridings, the challenges we face in trying to get those costs down and at the same time recognize the unique circumstances of some of those jails located in remote areas, and that indeed poses us with significant challenges.

We're trying to address it in some respects with electronic monitoring, which I know the federal government is looking at as well, and I think we'll move into in a big way. Technology is improving and we're looking at a number of initiatives in this area, risk assessment so that we can move low-risk offenders out of facilities and institutions into the community, but at the same time imposing a punishment upon them while ensuring that we can keep our incarceration costs at a reasonable level.

There is a whole range of challenges out there and we're trying to come to grips with them.

# PETITIONS CHILD CARE

**Mr Frank Miclash (Kenora):** I have a petition to the Legislative Assembly of Ontario and it reads:

"We, the undersigned, are firmly opposed to the erosion of the child care system. We are most particularly concerned about the unregulated child care sector, which represents the choice of most Ontario families, many living in rural areas. We urge this government to make its budget reduction in areas where children and families will not once again be the targets of cuts. Family resource programs support the informal sector of child care, which includes parents caring for their own children and care provided by grandparents, home child care providers and nannies."

I have attached my name to that petition as well.

# HIGHWAY SAFETY

**Mr Tony Martin (Sault Ste Marie):** I beg indulgence to present a petition on behalf of my colleague Bud Wildman, the member for Algoma. It goes like this:

"Whereas further to your plan to cut back on snowplowing, a woman was killed Sunday, November 12, 1995, at the Whitefish exit of Highway 17, west of Sudbury, and her 15-year-old daughter was critically

injured while the driver and passenger in the second vehicle were also listed in critical and serious condition respectively; and

"Whereas the incident occurred more than 24 hours after a snowstorm and the roads were not yet cleared or sanded and were in deplorable condition; and

"Whereas the hospital and rehabilitation costs of this accident alone far outweigh the costs of snowplowing, notwithstanding the horrible mental anguish which family and friends of the victims are and will go through that cannot be accounted for in dollar figures;

"We, the undersigned students, staff, parents, guardians of W.C. Eaket Secondary School and those of the community of Blind River petition the Legislature of Ontario to rescind the decision, for safety's sake, to cut funding to northern Ontario roads."

I add my signature to this petition.

# CHILD CARE

**Mr Doug Galt (Northumberland):** I have a petition here signed by some 36 constituents from Northumberland. This petition is from the parents of Sunshine Heights day care with regard to the proposed voucher system:

"Whereas we disagree with this system due to the negative effects it will have on the quality of child care that is available and the effects it will have on parents' ability to continue work and studies knowing that our children are in centres of our choice;

"We, the undersigned parents of children at Sunshine Heights day care, respectfully request that the Parliament of Ontario take action to have the proposed voucher system eliminated and leave current subsidies in place."

# OMNIBUS LEGISLATION

**Mr Bernard Grandmaitre (Ottawa East):** I have a petition that reads as follows:

"We, the undersigned, petition the Legislative Assembly of Ontario to withdraw Bill 26, Savings and Restructuring Act, 1995.

"We object to the bill because it terminates the partnership between the government and the physicians to manage health care on a joint basis; gives unilateral power to the Minister of Health to make cuts and dictate medical practice."

I have signed this petition as well.

# WORKERS' COMPENSATION BOARD

**Mr David Christopherson (Hamilton Centre):** I have a petition from Dan Gilbert and Pearl MacKay of the United Food and Commercial Workers, Local 1000A, on behalf of all their members who have signed these. It's addressed and it says:

"We, the undersigned, are opposed to the proposed changes to workers' compensation in Ontario, including the elimination of the current bipartite board of directors, the reduction of temporary benefits from 90% to 85%, the introduction of an unpaid waiting period for compensation benefits, legislated limits on entitlement, including repetitive strain, chronic pain and stress claims, reduced permanent pensions and pension supplements.

"Workers' compensation is not a handout, it is a legitimate obligation that the employers of this province



have to workers in Ontario. We demand no reduction in existing benefits, improved vocational rehabilitation, tightened enforcement of health and safety to prevent accidents, no reduction in current staff levels at the WCB and continued support for the bipartite board structure."

I'm pleased to add my name to it.

#### JUNIOR KINDERGARTEN

**Mrs Lyn McLeod (Leader of the Opposition):** "To the Legislative Assembly of Ontario:

"Whereas countless studies have shown that children who attend junior kindergarten stay in school longer; have improved reading, math and language skills; a greater chance of future employment; lower rates of teenage pregnancy and delinquency; and higher enrolment in post-secondary education; and

"It has been shown that each dollar spent on early childhood education can reduce future spending on social problems by \$7 and junior kindergarten funding cuts will obviously have long-term repercussions for us all; and

"Whereas the provincial government is considering making junior kindergarten optional in schools in Ontario,

"We, the undersigned, petition the Legislative Assembly of Ontario to maintain the present funding of junior kindergarten."

This is signed by some 402 among many other constituents in my riding, and I affix my own signature.

#### COMMON SENSE REVOLUTION

**Ms Shelley Martel (Sudbury East):** I have a petition which is signed by 16 residents in the riding of Sudbury East. It reads as follows:

"Whereas Mike Harris said on May 30, 1995, 'If I don't live up to anything that I have promised to do and committed to do, I will resign'; and

"Whereas Mike Harris promised on May 3, 1995, 'No cuts to health care spending,' but in his November 29 economic statement we see \$1.3 billion or 18% in cuts to hospital spending over the next three years and a further \$225 million in cuts from the health care budget; and

"Whereas Mike Harris has clearly broken his promise to defend health care cuts in funding; and

"Whereas Mike Harris promised in the Common Sense Revolution that, 'Aid for seniors and the disabled will not be cut,' but in his November 29 economic statement Mike Harris is cutting the Ontario drug benefit plan and making seniors and the vulnerable pay for their drugs; and

"Whereas Mike Harris has clearly broken his promise to seniors and the disabled;

"We, the undersigned, demand that Mike Harris keep his word and resign immediately."

I have signed my name to it and I agree with the petitioners.

1520

#### EDUCATION

**Mr John R. Baird (Nepean):** I have a petition signed by almost 1,000 residents of my constituency, led by Shari Ritter. It reads:

"We, the undersigned, want education legislated as an essential service."

#### HOSPITAL RESTRUCTURING

**Mr Monte Kwinter (Wilson Heights):** I have a petition to the Legislative Assembly of Ontario.

"Whereas the final report of the Metropolitan Toronto District Health Council hospital restructuring committee has recommended that North York Branson Hospital merge with York-Finch hospital;

"Whereas this recommendation will remove emergency and inpatient services currently provided by North York Branson Hospital, which will seriously jeopardize medical care and the quality of health for the growing population which the hospital serves, many being elderly people who in numerous cases require treatment for life-threatening medical conditions;

"We petition the Legislative Assembly of Ontario to reject the recommendation contained within the final report of the Metropolitan Toronto District Health Council hospital restructuring committee as it pertains to North York Branson Hospital, so that it retains, at minimum, emergency and inpatient services."

I have affixed my name.

#### COMMENTS OF THE MINISTER RESPONSIBLE FOR WOMEN'S ISSUES

**Mrs Marion Boyd (London Centre):** I have a petition to the Legislative Assembly.

"Whereas six women present at a meeting held by the minister responsible for women's issues, Dianne Cunningham, at her constituency office on October 25, 1995, agree that they heard the minister state, 'Within the context of this government, you need to understand that groups or agencies that are seen not to be working with this government, providing an oppositional voice...will be audited and their funding eliminated'; and

"Whereas the minister responsible for women's issues denies having made this statement;

"We, the undersigned, request that the government establish a legislative committee to determine whether the minister responsible for women's issues abused her authority as a minister of the crown by making threatening and intimidating remarks at the meeting described above."

This petition is signed by more than 100 women from all parts of Ontario, and I am pleased to affix my signature.

#### COLLEGE OF TEACHERS

**Mr John C. Cleary (Cornwall):** I have a petition signed by 246 people from eastern Ontario. It reads as follows:

"To the Parliament of Ontario:

"Whereas the teachers of Ontario are already accountable to the province of Ontario through the Ontario Teachers' Federation; and

"Whereas the proposed College of Teachers would create a new, unneeded and costly bureaucracy,

"We, the undersigned, petition the Parliament of Ontario as follows:

"To refrain from enacting legislation with respect to the College of Teachers."

I also affix my signature to that petition.

KIRKENDALL STRATHCONA  
NEIGHBOURHOOD HOUSE

**Mr David Christopherson (Hamilton Centre):** I have petitions signed by over 1,300 people in my riding, forwarded to me by Anna Maria Martello and Birgit Bolton of Wesley Urban Ministries.

"To the Legislative Assembly of Ontario:

"It is with great concern that we are writing to you as consumers of the services at Kirkendall Strathcona Neighbourhood House. We understand that a large portion of provincial funding is being cut from the services that Wesley Urban Ministries provides at the Kirkendall Strathcona Neighbourhood House. We are users of these services and feel that they have tremendous benefit to our health and wellbeing.

"Many seniors and older adults from the neighbourhood and beyond come to Kirkendall Strathcona Neighbourhood House. We come here to be with friends and participate in different activities, to receive help from the community workers, because we don't have enough English to understand the letters and the government regulations to file income tax returns, to talk to the nurse when we have concerns about our health or the health of our families, to talk to the lawyer when we have legal questions.

"We know others who come to the community kitchen, to the day care, to the exercises classes, to the Scouts and Brownies, to the Christmas store, where they receive free food and gifts, and to many other activities.

"Many of us will be very isolated and without assistance because of our language and cultural barriers if the doors of Kirkendall Strathcona Neighbourhood House were closed and the services discontinued.

"The services are extended also to the seniors who are homebound. Without these services and other services provided, for example by VON, the seniors would not have been able to stay in their own homes.

"We know we would not be as healthy and as happy without Kirkendall Strathcona Neighbourhood House and without the services provided there, and all our friends say the same thing. Please don't cut the funding to Wesley Urban Ministries, which support Kirkendall Strathcona Neighbourhood House services."

I affix my signature.

ADULT EDUCATION

**Mr Michael A. Brown (Algoma-Manitoulin):** I have a petition from a group called Preserve Adult Education Programs Action Plan.

"To the Legislative Assembly:

"We, the undersigned, believe that, as adult learners who are residents and parents as well as students in our own right, there should be no discrimination in education on the basis of age.

"Statistics show that adult education programs in public high schools get people off welfare into retraining and into better jobs.

"We, the learners, believe we deserve the right to public education in order to better our lives and that of our province."

I've affixed my signature.

SUDBURY MEMORIAL HOSPITAL

**Mr Rick Bartolucci (Sudbury):** This petition was circulated by Kerry Carswell, president of the ONA at Sudbury Memorial.

"To the Legislative Assembly of Ontario:

"Whereas the Sudbury Memorial Hospital is the most fiscally responsible health care facility in Sudbury; and

"Whereas Sudbury Memorial Hospital is the regional cardiovascular centre for all of northeastern Ontario;

"We, the undersigned, petition the Legislative Assembly of Ontario to maintain Sudbury Memorial Hospital as an acute care centre."

HIGHWAY SAFETY

**Mr Michael Gravelle (Port Arthur):** I've a petition signed by over 5,000 northern Ontario residents who continue to be concerned about the downgrading of winter road maintenance in northern Ontario. The petition reads:

"Whereas the Ministry of Transportation is intent on reducing northern winter road maintenance services; and

"Whereas such downgrading places the lives of northern resident at undue and unnecessary risk;

"We, the undersigned, petition the Legislative Assembly of Ontario to disallow these reductions in service and to guarantee that winter roads across the northern regions of the province receive the necessary maintenance to ensure the safe passage of drivers."

I'm proud to sign my name to this.

VEHICLE LICENSING OFFICE

**Mr Pat Hoy (Essex-Kent):** I have a petition signed by 1,383 persons from in and around the village of Ridgeway.

"We, the undersigned, are asking the Ministry of Transportation to re-evaluate their position in regard to putting a vehicle licensing office back into the town of Ridgeway.

"By signing this petition, we are saying that the licensing office is needed here."

HIGHWAY SAFETY

**Mr Frank Miclash (Kenora):** I have a petition to the Legislative Assembly of Ontario.

"Whereas the Ministry of Transportation is intent on reducing northern winter road maintenance services; and

"Whereas such downgrading places the lives of northern residents at undue and unnecessary risk;

"We, the undersigned, petition the Legislative Assembly of Ontario to disallow these reductions in service and to guarantee that winter roads across the northern regions of the province receive the necessary maintenance to ensure the safe passage of drivers."

I've affixed my name to that petition as well.

LABOUR LEGISLATION

**Mr David Christopherson (Hamilton Centre):** I have 200 signatures on these petitions. They read as follows:

"We wish to register our opinion regarding Bill 7. We understand you would not know how your individual constituents feel about this issue unless they informed you.



"We work at the Penetanguishene Mental Health Centre, of course, with the OPSEU union. We are very concerned about the future of our jobs, our work, our homes, our community and the level of service that will be provided to the public in the area of mental health with the passing of Bill 7.

"We have worked long and hard and bargained in good faith to reach agreements that have worked well for the employer, the employees and those who need our services, and feel it is unfair to negate all this with the passing of a bill.

"An agreement should be an agreement. We are expected to uphold our end of it, and do. With the last government, it was a social contract; now with the Conservatives, it may be no contract."

I sign my signature also.

#### SUDBURY ACTION CENTRE FOR YOUTH

**Mr Rick Bartolucci (Sudbury):** To the Legislative Assembly of Ontario:

"Whereas the Sudbury Action Centre for Youth has helped nearly 130,000 people since 1986;

"Whereas more than 35,000 youths have come to the centre for various services;

"Whereas nearly 10,000 people have filled casual, full- or part-time jobs;

"Whereas 372 youths have returned to school; and

"Whereas the government of Ontario has decided to close community youth support program including the Sudbury Action Centre for Youth;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the government of Ontario continue to fund the Sudbury Action Centre for Youth."

I have most supportively affixed my signature to the petition.

#### REPORTS BY COMMITTEES

##### STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Mr Gilchrist from the standing committee on resources development presented the following report and moved its adoption:

Your committee begs to report the following bill without amendment:

Bill 15, An Act to amend the Workers' Compensation Act and the Occupational Health and Safety Act / *Projet de loi 15, Loi modifiant la Loi sur les accidents du travail et la Loi sur la santé et la sécurité au travail.*

**The Speaker (Hon Allan K. McLean):** Shall the report be received and adopted? Agreed.

Shall Bill 15 be ordered for third reading? Agreed.

1530

#### INTRODUCTION OF BILLS

##### AUTOMOBILE INSURANCE ACT, 1995

##### LOI DE 1995 SUR L'ASSURANCE-AUTOMOBILE

Mr Sergio moved first reading of the following bill:

Bill 29, An Act to provide for Fair Automobile Insurance Practices / *Projet de loi 29, Loi visant à prévoir de justes pratiques en matière d'assurance-automobile.*

**The Speaker (Hon Allan K. McLean):** Is it the pleasure of the House that the motion carry? Carried.

#### ORDERS OF THE DAY

##### SAVINGS AND RESTRUCTURING ACT, 1995

##### LOI DE 1995 SUR LES ÉCONOMIES ET LA RESTRUCTURATION

Resuming the adjourned debate on the motion for second reading of Bill 26, An Act to achieve Fiscal Savings and to promote Economic Prosperity through Public Sector Restructuring, Streamlining and Efficiency and to implement other aspects of the Government's Economic Agenda / *Loi visant à réaliser des économies budgétaires et à favoriser la prospérité économique par la restructuration, la rationalisation et l'efficacité du secteur public et visant à mettre en oeuvre d'autres aspects du programme économique du gouvernement.*

**Mr Gerry Phillips (Scarborough-Agincourt):** I'm pleased to continue debate on what we call Bill 26, what I think many of the public may have come to know as the omnibus bill. Before I get into the details of the bill, I might once again indicate the importance of this bill to Ontario and the reason why it is so imperative that everybody in Ontario have an understanding of this bill. I would urge people in Ontario to pay attention to the bill and to let their voices be heard.

I would say that it was less than two weeks ago that we first saw this bill, on November 29. This bill is huge. It's 210 pages. It is sweeping. It touches 47 different acts in this province. It has major, major implications. We never saw this bill, the public never saw this bill, until November 29, and it was the government's intention to force this bill through by the end of this week.

This would have gone from no one seeing this bill on November 29 to law on Thursday. In our opinion, and I think in the opinion of the people of Ontario, that's simply wrong. It is dead wrong to try and force through something this major, touching, as I will talk in a few minutes, on every single person in this province, dealing with 47 different statutes. To try and ram this through in two weeks is wrong. The people of Ontario, I think, are beginning to realize what's in here. This isn't an innocent, little bill. This is, as I'll show in a few minutes and other speakers will show, extremely important.

I hope the government recognizes the anger that we in the opposition feel, that frankly now many groups in the province feel. I think at the end of this exercise the people of Ontario will feel, "How in the world did the government believe it had the right to force this thing through in two weeks?"

It is only now that people who are going to be affected by this—hospitals, doctors, pharmacists, every municipality, every senior who will have a user fee put on them, the people who are going to be laid off in the public service and are going to lose pension benefits, every firefighter, every police officer, every hospital worker, every teacher has their bargaining rights fundamentally changed in this bill.

It is only now that the associations that represent them are beginning to get into the bill. I can tell you that as a member daily now I get phone calls and faxes from

groups saying, "This bill changes our life, and we need an opportunity to be heard."

Perhaps I might speak firstly to the process around here, because I do think to the people of Ontario it is extremely important. What was that battle we had here last week all about? It was about the need for a reasonable debate on something this fundamental, instead of trying to ram it through, from the time we saw it to the time it was law, in virtually two weeks.

I might add another minor concern relative to the bigger concern: This bill was introduced while we were in what's called a lockup. I am the Finance critic for our party, the Liberal Party. It was essential that we be in a lockup when the government was presenting its fiscal statement on November 29. So at 9 o'clock in the morning, I, along with many of my colleagues in our caucus and many of the NDP members, went to a lockup to be briefed on this fiscal statement.

While we were in that lockup, not allowed out until 4 o'clock, the government introduced this bill and forced through what's called first reading at 3:30 in the afternoon. That was deliberate. It was a deliberate attempt to introduce the bill when many of the members were not in the House, for understandable reasons. This is what's called a finance bill. It is a bill that I am the critic for. It was introduced with the full knowledge that I could not possibly be in the House. There was no way I could be in the House. It was deliberately done and I think it was a mistake by the government—again, not to be repeated, I hope.

Just to begin to get into the content of this bill, because the people of Ontario, I think, are beginning to recognize what's in this bill and frankly beginning to recognize that the government doesn't know what it's doing on the bill.

Just this afternoon, we saw the Minister of Municipal Affairs and Housing, who has a very large section in this bill dealing with municipalities, and frankly, he had no idea what was in the bill. When one question was asked on an absolutely fundamental point about what taxes he was going to permit municipalities to levy, rather than answering the question, he said, "I'll have to take that as notice." For those who may not be familiar with that term, what it means is: "I don't know. I'm going to have to find out and I'll get back to you tomorrow." That is amazing. This bill gives the municipalities the right to levy what is called direct taxes, and the minister did not know what they were.

The minister also responded to another question, where it was said, "Not only are you giving the right to introduce these taxes, but you're taking away the right of citizens to appeal those taxes to the OMB, the Ontario Municipal Board, a traditional right they had." We said, "Why are you taking that right away?" The minister said, "I'm not taking that right away." Then about two minutes later, he had to get up and acknowledge he was wrong. He didn't know the bill. He didn't know that this bill very specifically says, "No application to the OMB." It goes on in a paragraph here to say that they are taking away the right of appeal of citizens on these taxes that they are going to introduce.

Why I'm raising this is to indicate that not only does the public have no idea what's in this bill—and understandably—but the ministers don't. The Minister of Municipal Affairs—it was embarrassing today frankly that he didn't know what was in the bill. I might also add he had a briefing note that was clearly wrong.

**Mr Len Wood (Cochrane North):** It was the wrong briefing note.

**Mr Phillips:** It was the wrong briefing note. So the public, I think, can begin to understand the anger that's on this side of the House when we are looking at sweeping changes. This change, just one change, allows for the first time ever the introduction at municipal levels of head taxes. It allows them to introduce sales taxes. It is clear that some municipalities have asked for this, we understand that, but the minister is giving them carte blanche authority to introduce them, to introduce them with a bylaw. There is no need for them to get the consent of the electorate. In fact, part of this bill specifically says now, when you used to have to go and get approval from the electors, you can simply pass a bylaw to eliminate the requirement to obtain the assent of the electors, before passing the bylaw under this section. In other words, you can introduce a mere bylaw and introduce the tax.

1540

I would like to perhaps move quickly through other aspects of this bill that are equally sweeping and equally important that they are trying to ram through, originally in two weeks. Here's another one. It looks fairly innocent; it's schedule L. It's the amendments to the Public Service Pension Act and the Ontario Public Service Employees' Union Pension Act. We asked: "Why are you doing this? What is this little two-page"—it's just two pages out of 210 pages. "Why are you doing this?"

Here was the answer: "We are planning to lay off perhaps 10,000 people. If we don't enact this, they would be entitled to benefits worth \$225 million of pension benefits. So here's what we're going to do. The first thing we're going to do is we are going to exempt ourselves from the Pension Benefits Act."

The Pension Benefits Act, for all of us here, was an act enacted by this Legislature to protect pensioners; public sector pensioners, private sector pensioners, to protect them. It's often referred to as the Conrad Black bill because, some of you may remember, some time ago—we've all been to Dominion stores. In fact, in the briefing it was referred to as that. It said this bill, the Pension Benefits Act, came in as a result of Conrad Black attempting to do some things with pensions.

But this bill exempts the government from it. In other words, it says, "We don't care what's in the Pension Benefits Act; we're exempting ourselves from it." Why? Because you're going to lay off a lot of people and because they would be entitled to \$225 million worth of benefits. You may say: "Well, these are tough times. We have to do it." But surely the people who are impacted by that at least deserve an opportunity to be heard, to come to a committee, to have an explanation and to express their concerns about it. But no, we were going to pass this in two weeks, with virtually no public debate on it.



I'm skipping through various sections of this because my time speaking is going to be limited today. But there's another section in here around hospitals and hospital care. I think many of the members of the Legislature have probably served on hospital boards. It's an important part of community service. It is a historical way in Ontario that communities have been able to, with their hospitals, reflect the community need, to have community input into the service offered in those hospitals and, frankly, to ensure that we have a sense of community around our health care.

Today the Minister of Municipal Affairs and Housing was saying: "We believe in giving local autonomy. We believe the community understands the needs. That's why we're going to give them the right to put taxes on." But in health care, in the hospitals, the minister and the minister alone will have the right to direct hospitals "1. To provide specified services to a specified extent or of a specified volume" and instruct hospitals "2. To cease to provide specified services" and "3. To increase or decrease the extent or volume of specified services."

The minister and the minister alone has the final authority to tell every hospital in this province what services they can and what services they cannot provide. The minister and the minister alone has the authority under this bill to tell which hospitals are open and which hospitals are closed; unprecedented authority. Frankly, for those of us who have a sense that perhaps our local hospital has a sense of the community, this is total, total management at Queen's Park of our Ontario health care system, strange and sweeping powers.

Again I don't know why the backbench members have not raised their voices because many of them, I would have thought, have served on hospital boards and would be concerned about these sweeping powers.

**Mr Len Wood:** They don't understand it.

**Mr Phillips:** My colleague says they don't understand the bill and, after today, I dare say you're right. I do not think—

**Mr Len Wood:** It's quite obvious they don't understand the bill.

**Mr Phillips:** In fairness to all of the members—I am what's called the critic for this bill. I carry the thing around with me and I read it a lot, and it has taken two weeks to begin to understand the bill—to begin to understand it. Every day my colleague Mr Arnott also has the same bill with him. Every page now as I get into it has major implications for Ontario, but it was the intention of the government to put it through in two weeks.

Just this morning I talked to some of our doctors who, I might add, are extremely worried about this bill. On page 91, dealing with confidentiality, it says, "The minister may enter into agreements to collect, use and disclose personal information concerning insured services provided by physicians, practitioners or health facilities," and later on in the bill it says if that happens to get out, the minister and whoever else released it are not responsible in any way.

The Minister of Health says to us, "Well, that language exists elsewhere." I say to him, with all due respect, it

does not exist elsewhere. This is broad, sweeping—I hate to use the term "dictatorial" because it sounds almost like we're exaggerating—but dictatorial powers for the Minister of Health to collect and to have available and to release with no penalty this information.

I don't think there are many things that people in this province feel as strongly about as their relationship with their physician. If we destroy that, if we destroy—

**Mr John Hastings (Etobicoke-Rexdale):** You helped to do it.

**Mr Phillips:** Now there's the member for Etobicoke-Rexdale yelling in the back and he, I guess, is saying to the doctors of this province: "This is fine. I don't mind the Minister of Health collecting this information and releasing it."

**Mr Hastings:** We're talking about what you did.

**Mr Phillips:** Well, there he is—he's barking over there now. He supported not having public hearings, I gather, and I gather he supports this. I will just say to him, you're going to be very, very embarrassed when the truth begins to come out about this bill and you yourselves will have a stack of amendments that you're going to want to push through, trying to patch this bill up. I know you've been told to come in here and bark and bark and yell, not listen.

**Mr Len Wood:** Try to intimidate the opposition.

**Mr Phillips:** "Try to intimidate the opposition," my colleague says. I would just say to you, it's going to be embarrassing for you when you have to stand and approve a whole bunch of amendments to this bill because you were wrong. I predict that will be the case and your face will be as red as your tie.

The confidentiality provisions in here, according to the doctors, and frankly I listen to the doctors in this matter, are unprecedented. They don't exist anywhere else and the Minister of Health is saying—I'd ask you to go to your caucus and ask him to prove that because the doctors showed me the existing legislation and there are no penalties as a result of it.

On the confidentiality section, it's clear that these are sweeping powers. I might just say this as an aside: I watch new cabinet ministers in action and the ones who start saying, "I," "I," "I," "I" are the ones you watch, and the Minister of Health—

**Hon Charles Harnick (Attorney General, minister responsible for native affairs):** Not me.

**Mr Phillips:** The Attorney General's here and I don't think he used the word "I," but the Minister of Health now thinks he owns the system. He's the big boss of the system and it's "I," "I," "I." You watch. And this bill reflects that. I would say to the back bench, listen to the cabinet ministers who start to think they and they alone have authority.

1550

On the physician services delivery, which is schedule I, there's not much doubt that the government wants the right to tell doctors where they can and cannot practise in the province. That's what this bill is all about. You eliminate the Ontario Medical Association, essentially, as the doctors' bargaining agent.

I would say to you, do that at your peril, because the OMA does, I think, an excellent job of mediating among physicians, and they are a challenging group, because they each obviously have strong opinions. But the OMA has done a good job of mediating among the doctors and trying to reach a consensus among them. You are going to take on that responsibility yourself, and it's a mistake. There are other ways, in my opinion, of solving the underservicing in the north and other communities. But you want to use the big stick here, and it is a huge stick. It essentially takes the OMA out of the piece.

I'm leafing through the bill just to indicate on almost every page the seriousness of some of these moves. This one is not a big deal, but this has to do with putting liens on one's house if you haven't paid a toll. What this is, there's a highway called Highway 407 that will be a toll road. The government wants to make absolutely sure that anybody who hasn't paid their toll will pay their toll. So they go to the extreme measure here of saying, "If you don't pay the toll, we can put a lien on your house or a lien on your car." Once again, the Minister of Transportation initially said, "No, no, no, no, we weren't doing that." Then, two or three days later, he had to acknowledge that was the case.

It is using a sledgehammer to solve a relatively minor problem, but it is typical of this bill that whoever has been involved in it, and I dare say there's a relatively small number of cabinet ministers who must have been involved in it, has on almost every page taken a sledgehammer to deal with problems that could have been solved in a far more sophisticated and sensitive manner.

I've dealt with the health care sector briefly to say that it gives unprecedented powers to the Minister of Health to determine whatever services are going to be provided in every hospital in the province. When you go back to your community and find that the local hospital board that is there trying to reflect the community is going to be essentially powerless under this bill, you all will have some explaining to do.

The bill also gives the government the right to introduce copayment for seniors; that is, to put a user fee on drugs. The government announced it was going to do this in the fiscal statement, and this bill gives them the right to do that. It could not have been clearer in the election—now whether you wanted to promise this or not, and I gather you're sorry you promised this now, but you did promise it. You said to the seniors of this province—and I know, because we all were at all-candidates' meetings and we all heard this promise—"Under our plan, there will be no new user fees."

**Mr Len Wood:** And now the seniors see that Mike Harris was lying.

**Mr Phillips:** Now they see the truth. You were categorical in this; you covered everything. You're now trying to say, "These are copayments on things that aren't in the federal medical bill," but at the time of your campaign, and this is your document that all of us carry around, this is what you said about copayments. You were 100% clear that you were not going to introduce user fees or copayments. That's the promise you all made, that's the promise you all ran on. You may regret you promised that, but you did.

Here are the paragraphs that cover it. It says:

"For some time now, there's been growing debate over the most effective way to ensure more responsible use of our universal health care system. In the last decade, user fees and copayments have kept rising and many health care services have been 'delisted' and are no longer covered by OHIP.

"We looked at those kinds of options"—Mike Harris looked at those options of copayments or delisting—"but decided the most effective and fair method was to give the public and health professionals alike a true and full accounting of the costs of health care, and ask individuals to pay a fair share of those costs, based on income. We," therefore, "believe the new fair share health care levy, based on the ability to pay, meets the test of fairness and the requirements of the Canada Health Act while protecting the fundamental integrity of our health care system.

"Under this plan, there will be no new user fees," no new copayments.

You were very specific. The Premier these days likes to say, "Well, this is a copayment," but you were 100% clear in the document and now we have a bill designed to go in exactly the opposite direction. I will say to you all, you're going to have some explaining to do, particularly to the seniors of this province.

Did you not know what you were running on? You distributed this document to all of the seniors. In fact, in my area you did very well among the seniors because they actually believed that story and they actually believed that you would not touch a penny—that's the language you used—of health care. But this document, I think the public should realize, this bill, Bill 26, is designed to implement the user fees.

On health care, you also said, "We will not touch a penny of health care." I know now the Premier is trying to say, "What we really meant is, we will cut it for a while and then, when we run again, we will restore spending to the level it was at when we made that promise." But I guarantee all of you, you can't find that explanation anywhere in pre-election material.

You may find it now, but in pre-election material, no one in Ontario ever thought your promise of not touching a penny of health care meant, "We'll touch a billion and a half dollars of it, but we'll put it back in four years." I challenge any of you to bring me the documentation that says that was your promise.

So we find it is the government's intention to cut roughly a billion and a half dollars out of hospitals. The hospitals in this province are going to have their funding cut by roughly 20%; the drug benefit plan, roughly 20%.

By the way, while your cabinet colleagues say, "We're going to reinvest that," when we asked the question of the staff when we were being briefed on this fiscal statement, "Where's that billion and a half dollars you're cutting out of health care going?" the answer was: "That's included in our cuts. That's included in the cuts we're making to hit our deficit targets."

That day, as we all know, the business community was slapping you on the back, high-fiving all around, because you'd made these cuts and you were out to the chamber



of commerce with the standing ovations—we understand that—but those cuts included a billion and a half dollars, \$1.5 billion, of health care spending. The cuts in health care, according to the documentation, are not going to be reinvested over the next year, year and a half or two years back into health. They're being used, frankly, to fund the tax cut.

The reason I raise that is because what's in this bill is the clout to allow the Minister of Health to implement that agenda, to unilaterally say to hospitals: "You're closing"; "You provide that service"; "You stay open"; "You provide that service." That's what this bill is all about, in contravention, frankly, of perhaps the most important promise that you all made in the campaign, and that is, "Without touching a penny of health care funding." But it's very clear now that you do plan to touch not a penny but a billion and a half dollars of the health care spending, and it is this bill that gives the minister the clout to implement those cuts.

1600

I've touched just briefly on a few aspects. Schedule Q in the document affects every single firefighter, every single police officer, every single hospital worker, every single teacher, and it's only now, I think, that those associations have been able to get into the bill and realize what it does to them. I think many of us had a communication from the firefighters' association essentially saying: "Premier Harris made a whole bunch of promises to us before the election. Bill 26 is in exact contradiction to the promises he made before the election."

I'm pleased that there is going to be some opportunity for public debate. I would urge the public to familiarize themselves with this bill and let their voice be heard, because it does fundamentally change the life of everybody here in Ontario.

**The Deputy Speaker (Mr Bert Johnson):** Questions and comments?

**Mr Chris Stockwell (Etobicoke West):** I just wanted to comment on a couple of issues that need to be addressed.

I'm not sure that the actual interpretation given by the Liberal Party and the socialists, my friends the NDP, is quite as literal on the taxation position that was offered up earlier today. I think if you read the legislation, there is probably room for debate and discussion about what exactly that specific clause means. There is a reference—

**Mrs Marion Boyd (London Centre):** It would have been law today.

**Mr Stockwell:** I know. But I think your—

**Mrs Boyd:** It would have been law today. Discussion and debate, by all means.

**Mr Stockwell:** Okay, but I think your interpretation of the clause is just that: an interpretation. If you read it very carefully, what is intended in that clause is that charges and fees may be levied by means of user fees, without direct taxation: in essence, taxes on gas, taxes of other forms.

There may be those who argue, and I understand quite rightly, in opposition, that is not how you read it. All I'm trying to point out to the members opposite is, I think

there is some interpretation and some debate that could be had at great length as to exactly what that clause does intend and what that clause is actually meaning.

Having said that, I don't think we should categorically say this means that municipalities can slap on gas tax, they can slap on income tax etc at the local level, because I will say to you and to the member, the Finance critic for the Liberal Party, whom I have great respect for, that I don't read it that way. I read it differently. I'd like to get some interpretation from the legal minds in this province and from those who understand the way bills are written on exactly how they see that as being written.

If you're right, then I think you're right and we should rewrite it, because I don't think that's what was intended when we wrote it. But I think there is some question about who is in fact correct on that issue.

**Mrs Boyd:** With reference to the member's speech, if indeed the member who intervened a moment ago is right, that there are many interpretations, it simply means that this is a bad bill, that it's been badly drafted. If there's so much uncertainty about what this section means, then obviously it was a good thing that those of us on this side of the House decided to force more discussion of this bill rather than have the province tied up in litigation for years and years.

The member for Etobicoke West is quite right; there are legal opinions that indeed support the member for Scarborough-Agincourt's interpretation, and no doubt, as is always true, we can find lawyers who will take a different view. That's just part of the system of adversarial lawyering that we have in this province.

The issue around legislation surely is that legislation should be clear enough and distinct enough to tell everyone involved—municipalities, the province and certainly the citizens of Ontario—what is involved, without this kind of uncertainty and without the kind of flubbing around that we saw on the part of the Minister of Municipal Affairs, who I understand has gone outside the House and said yet another, different thing to the reporters in the scrum.

I would say that the member for Scarborough-Agincourt is quite right to raise very clearly the issues as they occur and that it is very important that the government listen to the fact that they themselves do not know in a definitive way what their act means, what the impact will be and that it is extremely important that we all be sure of that before this House passes the legislation. I would say to the member for Scarborough-Agincourt that the issues he raises are indeed very important and ones that our party shares.

**Hon Mr Harnick:** The former Attorney General makes an interesting comment about uncertainty in a bill. I remember sitting in the very seat that she now sits in, watching NDP government bills that would have 200 amendments, they were so uncertain, bills that had to be pulled and where they had to start all over again.

I have read the section that the member for Scarborough-Agincourt comments on and it's quite clear. It's quite clear to me that what the municipality is able to do is impose "fees or charges...for services or activities...for costs payable by it...or...for the use of its property." There is nothing in this that indicates there is

direct taxation. In fact, I go on to the next section, which I submit is interpreted by the previous section, and it says, "A bylaw under this section may provide for...fees and charges that are in the nature of a direct tax."

If a direct tax is something that was being imposed, it would say, "A bylaw under this section may provide for direct taxation for the purpose of raising revenue." That is not what it says. What it says is related to the ability of a municipality to charge fees for services, charges for services, charges for the use of property, and that is the essence of what this does. It doesn't do what the opposition alleges it does. They took great liberties with the way they interpreted those words, and quite frankly, I think they're wrong.

The other aspect to this is in the broad sense. What we're doing here is correcting a \$100-billion mistake that the former government made by permitting municipalities to restructure and thus provide services to the people of Ontario and the communities they serve.

**Mr Len Wood:** I listened very intently to what the member for Scarborough-Agincourt addressed in the last half-hour. I think it's very unfair for the two Tory members to attack the comments he made. We know, as Gerry has explained, it's a matter of the Ontario government trying to lower taxes and cut everything and then force the municipalities to raise taxes.

Mike Harris said during the Common Sense Revolution, during the campaign, that if taxes are raised in Ontario there should be a referendum before they are raised or he would resign. Now he's saying, "We're going to lower the taxes in Ontario, we're going to cut everything right down to the bare bone, but we're going to force the municipalities to bring in sales taxes, to bring in user fees, to bring in all kinds of taxes." There is only one taxpayer in Ontario, as has been pointed out a number of times.

Had it not been for the action that was taken last week to stop the 82-member Tories from ramming this bill through the Legislature, like they did with Bill 7, we would have this being the law of the land today, and it was quite obvious during question period today that there are a lot of cabinet ministers who haven't read the bill, who don't understand the bill. They don't have a clue what's in the bill and yet they were going to bring it forward to second and third reading and impose this on the people in the province of Ontario.

Once again, I'd just like to congratulate the member for Scarborough-Agincourt. I'm sure he's aware of the legal opinions that we have. He has the same legal opinions, I'm sure, saying that the bill is bad, it's flawed, it should be scrapped, it should be withdrawn and rewritten. It doesn't make any sense that we're entering into a period of Christmastime—everybody should be happy and wish everybody Merry Christmas.

They're going to impose taxes on all the taxpayers in the province through the municipalities.

1610

**The Deputy Speaker:** The member for Scarborough-Agincourt, response?

**Mr Phillips:** Just to respond to a few of the comments of the member for Etobicoke West and the Attor-

ney General: I think, firstly, it wasn't me who said the bill permits a head tax.

**Hon Mr Harnick:** It doesn't.

**Mr Phillips:** It's the Minister of Municipal Affairs who said it permits a head tax. The minister says, "It permits a head tax but we believe in giving responsibility to municipalities." I think, for the public watching, this is a very interesting exchange because the Minister of Municipal Affairs says, "Certainly it permits a head tax," and the Attorney General says it doesn't. What could be more graphic of how this bill is flawed than our senior law officer, the Attorney General, saying it doesn't and the minister responsible saying it permits a head tax?

The same thing happened, you may recall, last week in the House when we raised questions about confidentiality, saying we had major concerns about confidentiality. The Minister of Health said: "There's no problem with the bill. You're wrong." About two hours later we get a strongly worded letter from the Information and Privacy Commissioner saying he has huge concerns about the bill and confidentiality—huge concerns. So what happens? About an hour later the Minister of Health says: "Uh-oh. I'm prepared to amend the bill. I'm prepared to acknowledge it may have been drafted badly."

Here we have two shining examples where it's clear the government is all over the lot on this bill because they're trying to ram through a bill that has been poorly thought through.

**The Deputy Speaker:** Further debate?

**Mr David Christopherson (Hamilton Centre):** I appreciate the opportunity to add my voice to those who have very serious and grave concerns about the implications of Bill 26 on the Ontario that we've all known, and the plans to decimate, in terms of the values and traditions of Ontario that ironically this government tends to rhetorically comment on in terms of values, yet it's the very values and traditions of Ontario that go down the tube every time this government stands and introduces a piece of legislation.

I don't think we can ever again speak of Bill 26 without commenting on what took place with our colleague Alvin Curling, who found himself the focus of our outrage on behalf of constituents—not so much for ourselves, because we have this time; there's at least a little bit of built-in time for us in second readings and third readings, in committee of the whole, if there's an opportunity, but none for the public on Bill 7. None.

What this government did with Bill 7 is they actually went well beyond their mandate of revoking Bill 40 and took away other rights that workers had and kept saying, and still do to this day, that all they did was repeal Bill 40, and they know that's not the truth. They went well beyond that. They had no mandate and they did not allow the people of Ontario one minute—not one minute of input. In fact, I finally went out across the province to meet with as many people as I could, both to give people voice but also to hold the government accountable. That's not by any means a proper replacement for a legislative committee going out and doing thorough hearings with the full support of this Legislature, but that was all we were left with.



When we saw Bill 26 introduced—and by the way, it's been mentioned but it needs to be said over and over: It was snuck in. Not that you could sneak an entire law in, but they certainly, in the way they introduced it, did it as slyly as they could. I've heard—I don't know this for sure—there was an understanding it would come the day after.

That really doesn't matter. The fact is that the government still, while members of this Legislature and members of the media were literally locked up, receiving a briefing on something that they're not allowed to talk about until the minister rises in his or her place and speaks—that's when they introduced it. It was as sneaky an attack as anything I've ever seen, yet what baffles me is it achieved nothing. It achieved nothing because they had to introduce the bill regardless. There's only so much the opposition can do around first reading introduction of a new bill, yet what I think it did was to expose this government for what it is, and that is inherently an undemocratic government.

With the history of Bill 7 fresh in our minds, when they snuck Bill 26 on to the floor and then tried to ram it through—let's remember that this was last week; today this would have been law under the government's plan. This law creates three new laws and amends over 40 other existing laws, and the whole thing would have been finished by the time we finished speaking today if this government had had its way. And then they wonder why the opposition and the people of Ontario are labelling this government as undemocratic.

Mike Harris was elected the Premier, not the king. There's a democratic tradition in Ontario, whether the Tories like it or not, that says people are entitled to have a say when you make laws, particularly when it looks to some of us like you not only don't have a mandate to do it but that you're breaking the promises in terms of the mandate you received, and when you're fundamentally changing some of the most important structures and institutions of Ontario.

There's a commonsense—I refuse to run from that term no matter how much they abuse it—approach that says, if you truly are democratic, then in the kind of circumstances I've just described, wouldn't it be appropriate to give the people of Ontario their say? But this government said, "No, we're not going to give them their say." We did everything we could within the rules to try to force it, but just a few weeks ago we went down that road with this government on Bill 7, so it's not as if this was something we hadn't experienced before. As difficult as it is for many of us here to believe that a government would do what they did with Bill 7, having experienced that, we knew that the possibility of Bill 26 going through in the way they had described and actually becoming law today was a reality.

We had to decide, what are we going to do about that? Within the rules, there was nothing we could do. We'd gone to the limit. Yet every member of the opposition—and those members of the public who are watching will know that there's no more affection and camaraderie between us and the Liberals than there is in any other dynamic, with Tories or with Liberals and Tories. The

fact of the matter is that in many ways we're still competing here to be the alternative to this government when they fail. And they will fail and they will fall.

**Mr John R. Baird (Nepean):** You are not competing. You are not.

**The Deputy Speaker:** The member for Nepean will come to order.

**Mr Christopherson:** However, every one of us, to a person, believed—

**Mr Gilles Pouliot (Lake Nipigon):** Ask him to leave, sir.

**The Deputy Speaker:** The member for Lake Nipigon will come to order.

1620

**Mr Christopherson:** We believed that we had an obligation to speak out on behalf of the people of Ontario and do something. That something was what people saw and read about last week.

It worked because, first of all, we honestly believed that we were in the right. I still believe that. Boy, I'll tell you, from what I'm experiencing—I don't know what kind of phone calls the Tory members are getting, but in terms of the reaction I've had from my constituents and elsewhere I've been, there are a lot of people who believe we had no choice but to do what we did.

Many of us don't take the prospect of being thrown out of the House—I haven't been thrown out yet; I'm proud of that. The day may come when I feel that's necessary, and if it is, I will do it. But I don't see any great particular goal in wanting to be thrown out, and I'll bet a lot of my colleagues feel the same way. Yet every one of us, New Democrats and Liberals alike, was prepared to put our ability to take this seat that we worked so hard to get on the line in defence of the public's right to have a say on Bill 26.

The person on whose shoulders that fell was Alvin Curling. That wasn't known ahead of time. We had a sense of what might happen, and we'd agreed if we got into a situation, here's what we would do. But we didn't know for sure; we didn't know in what way; we didn't know what person. We didn't even know if it would work. I want to say here, right now, and I've said it to many people since it happened and I'm very proud to say it publicly, I think Alvin Curling is a hero. I think that he's a hero, not because he wanted to be, not because he set out to be, and as politicians we all understand what the term "multiple agendas" means. This was not an agenda of this honourable member. I'll bet if you gave him the choice, particularly in the middle of the night, as certain pressures were coming upon him, he would have gladly handed that hero's role to anybody else who wanted it.

But he stayed there all night long so that the people of Ontario could have a say in Bill 26, a bill that, if Alvin Curling hadn't taken the action he did and if we hadn't supported him, would today be law. This is the very same law on which the Minister of Municipal Affairs and Housing, when asked questions about this law today in question period, twice had to say to our leader, "I'll get back to you," because he didn't know the answer. This,

I will say quite readily, having been a minister, is an honourable response if you don't know. But I reject the idea that that's acceptable on the day this is to become the law, when the very issue in this Legislature is whether there's been enough time to debate it. Then he had to stand corrected, because when he was sure of himself, he was wrong. Now I hear out in the scrum he's got himself all twisted and turned again.

What's that all about? The issue that he's got himself in such trouble over is all about user fees. Remember the party that ran on a platform that said, "No user fees"? And, oh yeah, no tax increases. Two of their key things: no tax increases, no user fees. What they really meant—we should have had it decoded—was: "We as the government won't bring in new taxes. Oh, no. We as the government won't bring in user fees. Oh, no. We won't do that."

**Ms Frances Lankin (Beaches-Woodbine):** Except for drugs.

**Mr Christopherson:** They broke that promise. I'm going to get to that later if I have time. We know what they're going to do with the copayments and everything else.

But even if they hadn't broken their promise on drug prices, they were still blown out of the water by the fact that what this does—this bill in large part and the very issue that got the Minister of Municipal Affairs in trouble today—is to give municipalities the ability to bring in user fees that they don't now have. And then, by cutting their funding by over 40% in two years—which, by the way, in large part goes to pay that tax increase that the wealthy are going to benefit from; this all fits together.

**Mrs Boyd:** Decrease.

**Mr Christopherson:** Sorry?

**Mrs Boyd:** Decrease, not increase. Decrease.

**Mr Christopherson:** Oh, a tax decrease, yes. Sorry. That's where a lot of this money is going to go, to pay for that tax decrease that the wealthy will benefit from.

By putting that kind of fiscal pressure on the municipalities, municipalities have three choices. I was a municipal councillor and alderman, regional council and city council, for five years in Hamilton, and I can tell you they've got three choices. They can either cut the services like libraries, recreation centres, public transit—by the way, a lot of the services that lower-income people may use more than others, which fits again with who you're blaming and who you're attacking and who's going to pay for your Common Sense Revolution. So they put the fiscal pressure on them that they either have to cut those services, increase taxes, or impose user fees.

More than likely most municipalities will have to look at a mixture of the three. They don't have any alternatives, because the provincial government is very much the master in these things because the municipalities are creatures of the provinces. They're not recognized in the Constitution. Therefore, the provincial government pulls all the strings at the end of the day with regard to what municipalities can and can't do.

So now it's the municipal politicians that have the heartbreaking and heart-rending and gut-wrenching decisions about what services get cut, how much property

tax increase there will be, and where there will be user fees and who will pay them, all the things this government said, "Elect us and we won't do any of those things." No, you're going to make somebody else do it that you have complete control over and hope at the end of the day that the public will think of local aldermen and councillors as the bad politicians because of what they did to our community, and all the good provincial government because they were able to cut taxes and reduce spending. What a load of baloney.

That's why you want to ram this stuff through, because you're trying to prevent people from figuring out what you're doing and how you're doing it. That's why it was so important that Alvin Curling did what he did, and that's why it's so important that we supported him in that. Because I've heard the government say that there's as many or more hours of public hearings contained in what they proposed. But let's remember, it was going to be law today. That's not enough time for anybody to look at a 211-page law and be able to intelligently and constructively comment on the legislation, and that's why we wanted public hearings in the new year.

Another important part of democracy is to make sure that people have the information they need to make public comment, and not everybody is a lawyer. In fact, most people don't have any legal training. And yet if you were democrats, if you believed in democracy, you would go out of your way as a government to facilitate people having input, you'd facilitate their understanding of the law, you would listen to what people say.

We heard today that ministers won't even meet with people, and I've heard that out there too. But you folks can only play this game for so long. You can't just keep hiding between the House and your office, let me tell you. The member for Nepean can't forever cover for the Minister of Labour. She's eventually going to have to go out and face the music herself.

Those are the kinds of things that if a party that forms a government seriously believed in democracy, they would do. And this government has done the opposite.

**Mr Ron Johnson (Brantford):** I think we should raise taxes.

**Mr Christopherson:** One of the honourable members on the back bench, one of the Tories, says, "I think we should raise taxes." At least he's trying to be honest.

1630

I want to point out one of the benefits, and this just happened on Friday because we didn't know whether or not we were going to get public hearings out of this government. So our party held at least the opening day of hearings on Friday and we heard from Dan Benedict and his colleague on behalf of seniors, a major umbrella seniors group. They pointed out something interesting and this is the benefit of actually listening to the people instead of hiding from them.

He pointed out that it's not just the increases in the cost of drugs and the cuts to health care, which are the sort of things we all immediately think of when we think, how will this impact on seniors? You think drug prices and health care because those are very important issues



and, in many cases, they have a great reliance on those services and on those products.

They pointed out that in many of the other areas where there will be user fees, that has the effect of lowering the quality of life for seniors. For instance, public transit. If municipal governments are forced by the actions of this Tory government to increase the cost of public transit—there's a large percentage of seniors that use public transit. That's more cash out of their pocket, that's a lowering of their standard of living. For some of them who are on the borderline, because we have to take a look at everything this government's doing and all the attack on those who are the most vulnerable, they're already feeling the financial squeeze.

What else? We may have an increase in user fees for libraries. Again, seniors use libraries a lot, and if you start increasing the costs, you've got the same thing as you've got with the drug increases and the increases to transit and we can add that.

Let's talk about tuition. There are a lot of seniors who take the opportunity, because they're still very active, when they're retired to achieve part of the formal education they may not have gotten when they were younger or they wish to go on further. An increase in tuition fees, because of the major attack on secondary and post-secondary schooling by this government again, is going to inhibit the ability of a lot of seniors to continue their education. Yet the Minister of Education and Training likes to get up on his feet and talk about life-long learning. Life-long learning didn't mean, "If you can afford it."

**Mr Len Wood:** They don't care.

**The Deputy Speaker:** The member for Cochrane North will come to order.

*Interjections.*

**Mr Christopherson:** We're not done. Recreational—

**The Deputy Speaker:** I've asked for order from several different members and I'm not getting it. I will have no alternative.

**Mr Christopherson:** Recreational facilities: Again municipalities may be faced with either cutting recreational facilities and services or implementing or increasing user fees. If we have user fees around the collection of garbage, the same thing.

Now, there's just one slice of public input that certainly altered my thinking because I realize that there's a need to look at things like this beyond just the quick idea that comes to mind. Yet that's all that we would have had had Alvin Curling not done what he did and we not supported him in making sure that there will be enough time to look at these much more adequately. Everybody who came forward—the medical association, environmental movements, and I saw a couple of the people who made presentations were in the gallery earlier—all said, "This is our first-blush response and these are some of the serious concerns we have, but we'll be looking at it more over the balance of the year and be ready for public hearings in the new year."

This government was not going to let that happen.

**Mr Pouliot:** On a point of order, Mr Speaker: With the highest of respect, this is a very inspiring address to the House and unfortunately many of the Conservatives have chosen not to show and listen. They've left in shame. Will you please call for a quorum?

**Senior Clerk Assistant and Clerk of Journals (Mr Alex D. McFedries):** A quorum is now present, Speaker.

**The Deputy Speaker:** A quorum is present and the Chair recognizes again the member for Hamilton Centre.

**Mr Christopherson:** The quorum that the Tories need to worry about are the people who are watching the way that they are functioning and not what's happening in this House, because it's all pretty much preordained here. What matters is the public finally getting a chance to understand and hear some of the things that are contained in this draconian law.

I have a few minutes left. I do want to comment on a couple of more things. I want to raise the issue of the changing of the rules for arbitrators and how they will conduct themselves when they're hearing from employers and police officers and firefighters and hospital workers. The rules around this type of arbitration have changed so dramatically that it is possible that any meaningful collective bargaining is gone. And again, we'll have to have benefit of further analysis, legal advice and public hearings, but it looks like it may also be possible for arbitrators to rule that there should be a cut in service in the area of firefighting and police services and hospital workers. I'm not saying that with any certainty but I am saying that's a question that's been raised; it needs to be addressed. This government wasn't going to give the people of Ontario that opportunity.

One thing they're clearly trying to do, because police officers and firefighters are workers too; therefore, they're on the hit list. I worked with both those communities for a number of years and as much as perhaps some of them have had, or maybe still do, some feelings of support for this current government and the things it believes in, I can tell you, they didn't expect you to turn on them, but you have. They've got to be just reeling out there, wondering what is going on.

That's another broken promise, but we're losing track of those, where the minister said he wouldn't change anything until he'd had full input from these people, and before they had that final input they brought in Bill 26, and lo and behold, in there are these rules around arbitrators' guidelines being changed, taking away rights that police officers and firefighters and hospital workers had as workers: collective bargaining. But if you're a worker in this province, watch out, because you're on this government's hit list. Regardless of what you might think about yourself and who your friends are, if you're a worker, you're in the middle of the bull's eye, and if not today, eventually they'll get around to you, and if not directly, indirectly, as we all watch our health care system Americanized, our social safety net destroyed, a revamping of how taxation works in this province.

Our leader, in question period today, pointed out very carefully and very clearly how the Constitution gives certain taxation powers that have been upheld by court decisions to provinces. This government proposes to give

many of those same powers to a city council. I've been in both those worlds and I can tell you, there's a big difference between the scrutiny and the process—at least, there used to be, when democracy reigned around here—the amount of time, the checks and balances, so that laws are thought through, laws are truly considered.

Bylaws can go pretty fast, but again, when you're dealing with the severity of things, is that the end of the world? You can always reconsider it at the next meeting. If you thought you should put a stop sign somewhere where you don't or you want to do a road alignment and you've heard of a new engineering report that says you want to reconsider that, the implications aren't as great, which is why there aren't the same checks and balances on municipal councils as there are in the legislatures of this country, that are recognized and defined by the Constitution.

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This government is giving, because it thinks it's taking care of its political pals, those powers to municipalities after it has already put the fiscal boots to them. I feel for them. I've said that to Tory and Liberal colleagues on municipal councils, as well as New Democrats, that I truly feel for them, because the tough decisions that ought to be made here are being handed to them. They're the ones who are going to have the blood on their hands and the blood on the floor, because the political battles will take place in their arena and not here.

While they're going through that process, this government, I guarantee you, will go around this province crowing about the fact that it didn't cut those services, it didn't introduce those user fees; that was those awful municipal politicians, and "Here's their phone number; you ought to go and tell them what you think." That's the game plan. It's not rocket science; obviously it couldn't be. It's fairly straightforward, but it does require a little time to get it out and to dig through it all and understand 211 pages of creating three new bills and amending over 40 other laws. It takes a little while. That's why they wanted to ram it through.

Bill 7: There are people who still don't know what the labour law of this land is. That's just the way you wanted it, because you knew that if people saw the truth in what you were doing and why you were doing it and the fact that you didn't have a mandate, same as Bill 26, you'd get an outrage.

Let me tell you, when I was in London with those over 10,000 Ontarians who were protesting—and you can write this off; I see members on the Tory back bench making faces and doing all kinds of weird things, which is about all they do, although they do it well, I give you that—people in London, those 10,000-plus, were just as angry about Bill 26 and what it contains and just as angry about Bill 26 and what you tried to do with the process as they were about Bill 7. As the picture gets clearer, you're going to see more and more of those huge kinds of protests, because the people of Ontario did not give this government a mandate to completely decimate everything that makes this a great province and that generations took decades to build.

**The Deputy Speaker:** Comments or questions?

**Mr Len Wood:** I listened very attentively to what my good friend and colleague the member for Hamilton Centre has explained to a lot of the Tory backbenchers here who quite obviously have not read the bill and don't understand the bill. As a matter of fact, during question period today when our leader was questioning the Minister of Municipal Affairs and Housing it was quite obvious that he either hadn't read the bill or didn't understand the bill and was giving very vague answers on the day that this was going to become law.

I agree with the member for Hamilton Centre when he says that Bill 7, which was the bill that legalized the use of scabs and replacement workers in the province of Ontario, which had been banned for a number of years, was rammed through the Legislature with no public hearings, no public consultation, no discussions with the business or labour people. There was a lot of opposition to it.

The intention was that this bill would be rammed through the Legislature and it would become law today or tomorrow and that the four or five cabinet ministers who were responsible for drafting this Legislation along with their political staff and the bureaucracy decided they were going to ram this through the House and the Tory backbenchers were going to be told:

"Well, you go and hide now. You go and hide until next spring, when we'll bring in a new throne speech and a budget. We'll give you back the \$7 billion that we're cutting away from the poor, the women, the children, the disabled people. You don't have to worry about everything, because we're bringing in legislation that's going to allow the municipalities to tax everybody into the poorhouse.

"The province of Ontario is not going to raise the taxes because Mike Harris is going to have to resign if he raises taxes, but we're going to get the municipalities to go out and tax everybody into the poorhouse and everybody's going to be happy about it."

**The Deputy Speaker:** Comments or questions? The Chair recognizes the member for Lake Nipigon.

**Mr Pouliot:** I thank you very much, Mr Speaker, yet one more time. What a reminder, a caution, an olive branch to the government telling them that you're going too fast, too quickly. You're too anxious to open the gates so the blood can flow.

I have in my hand a copy of the Common Sense Revolution. This satanic document tells not of the true spirit and intent under the umbrella of Bill 26. If the opposition were not so committed, if we didn't care, if we weren't at our post, we would just give them the latitude to hang themselves. Recall Bill 7—65 amendments. They couldn't live by their own document. They themselves had to go back in those dark rooms and amend the document.

You had to be here this afternoon. This was a performance indeed, or the lack of it. It wasn't even vaudeville or burlesque; it was the performance of the Minister of Municipal affairs. He had to leave the chamber in shame because he couldn't even answer the simplest of ques-



tions; he didn't know. And they were to pass this legislation today, legislation that calls and allows for the devolution of power. It passes the buck; it downloads on municipalities. What my colleague the member for Hamilton Centre has said is that it's no use for the minister to cross the House, because our party, our side of the House is not—

**The Deputy Speaker:** The member's time has expired. The member for Nepean

**Mr Baird:** I just want to put one short fact on the record. The members opposite suggest that this government is in too much of a hurry, that we're moving too quickly, that we're ramming through legislation after legislation after legislation. I think it's very important to recognize that in the last 50 weeks the Ontario Legislature has passed only one bill.

**Mr Christopherson:** In my two-minute response to those comments, I want to thank my colleagues from Cochrane North and Lake Nipigon, both of whom feel very passionately and care very much about the kind of Ontario that Bill 26 is going to destroy. I'm always honoured when they lend their voices to mine and support some of the positions that I have outlined reflecting my own passion on what's happening.

With regard to the comment from the honourable member for Nepean, I would suggest to him that he tread very carefully, and I say this with great respect. I've spent some time working with the member and I do respect him, but I would suggest to him that he be very careful about defending, or trying to deflect from, the issue of whether or not this government has rammed legislation through. He is the parliamentary assistant to the Minister of Labour. That is the second-to-last person in this House who would want to get on his feet and talk about democracy and input and whether or not this government was ramming things through, I would think, having watched the reception he got in Windsor, because I was there too, with the building trades delegates.

Trade unionists are very, very respectful when they invite people to come to their—he carries that bag from the convention. Members of this House will be interested to know there were calls from the audience that he not be given the bag because of the message that he brought. But, again, at least he was there. His minister chickened out and he had to go in there and carry the can.

But make no mistake, if the people of Ontario—and they're getting this message or there wouldn't have been so many in London. Just keep watching. There'll be lots more—lots more. But if the people of Ontario didn't do what they're doing and we didn't do what we're doing, you would literally run this place like a dictatorship. You've proven that.

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**The Deputy Speaker:** Further debate?

**Mr John O'Toole (Durham East):** It's a pleasure today to rise to speak to Bill 26. In fact, I'll be directing my comments in support of our Minister of Health, Jim Wilson. Even Tom Walkom of the Toronto Star recognizes the minister's great knowledge, insight, courage, leadership and commitment to health care in Ontario.

We all know in Ontario that health care certainly needs reform. In my riding of Durham East the people have told me very clearly, and the acute care study done by the district health council reiterated the same comments. In my riding, I can assure you that we are in a severe shortage of physicians. It's one of the top priority calls that I get in Durham East.

The health care reform provisions in Bill 26 are designed to provide efficiency and quality in health care and make the system sustainable and affordable for the generations to follow. We need health care in the right place at the right time for the right price.

Our reform initiatives are premised on five major principles: system restructuring; highest quality and best price; patient focus; accountability; and sustainability.

Let's start with systems restructuring. We are committed to maintaining health care funding at \$17.4 billion, but implicit in this commitment, we all know, is the need to make changes in the way we deliver health care services. These changes are long overdue, as has been demonstrated in many reports. I have most of those reports here. Most members in the House are familiar with the Scott report, which really addresses some of the needs in my riding, as well as the health care report. In our region, it was called the acute care report.

Bill 26 facilitates the restructuring of the health care system by bolstering community hospital restructuring. Bill 26 creates and empowers the Health Services Restructuring Commission to assist communities to find efficiencies in the ways they deliver hospital services. While 60 Ontario communities are engaged in hospital restructuring studies, these studies do not indicate how communities will actually implement these recommendations. The Health Services Restructuring Commission will do this and make restructuring happen for 60 Ontario communities. Many of these communities have directly asked us to assist them in reforming the health care system. It will also accelerate the pace of restructuring to ensure that changes to the hospital system occur in a planned and managed fashion.

In the past five years, 6,700 beds have been ripped out of the hospital system in random fashion. Beds have been stripped away without the questions being asked and answered as to whether or not we can do with fewer facilities. This translates, the 6,700 beds, into perhaps some 30 hospitals, hospitals without the closures and not the derived benefits and economics. Imagine the duplication and waste that has been created, thus rendering the patient with fewer dollars being spent where the care is most needed.

Our Bill 26 reforms will drive services to the needs by setting aside previous binding agreements with physicians and encouraging, through the most generous incentive packages in the history of this province, physicians to practise in underserved areas. We all recall the recent announcement by the minister on December 4, which will extend the service of \$70 an hour for emergency coverage in our northern communities. I, for one, know that this is an area that it's seriously going to affect and improve the level of service in my riding.

Our Bill 26 reforms will maintain quality in our drug plan and expand coverage in a more humane manner to the working poor by asking drug plan recipients to share in the cost of the plan. This plan extends Ontario drug benefits to some 140,000 people who would otherwise have been denied this vital service.

Our Bill 26 reforms will ensure that quality services are provided in uninsured facilities that the government previously had no control over.

Our goal, again, is high quality and best price. In order to ensure the people of Ontario a quality health care service in times of fiscal constraint, we emphasize service, not ideology and not who provides the service.

One of the overriding principles of this legislation is the notion that we need to—indeed, we must—provide the highest quality of service at the best price. Our Bill 26 reforms to the Independent Health Facilities Act remove the bias that prevents commercial providers from competing with the non-profit sector in the provision of services. By unshackling this commercial provider, we are asking everyone to join us in our quest to provide best quality of service at an affordable price. This bias was written into the legislation because the then Liberal Premier, David Peterson, was more interested in playing politics and feuding with Brian Mulroney over free trade—

**Mrs Elinor Caplan (Oriole):** That's baloney.

**Mr O'Toole:** Mrs Caplan's chanting away there. She was indeed the Health minister at the time and she knows very well that those were the politics behind it all.

Our Bill 26 reforms enable us to control drug plan costs and allows patients and private drug insurance plans the flexibility to shop around for the best packages for dispensing fees and drugs. We believe that the market, not government policies, will drive down dispensing fees and drug prices. Again, we ensure the highest quality, the highest service and the best price; most of all, and I want you to listen to this, to be patient-focused.

**Ms Lankin:** You don't know what you're talking about.

**Mr O'Toole:** We all know the outrage in the health care community and the dislocation in the OMA and the OHA. Our minister has taken the leadership and the conviction—and I might compliment him; he's very, very knowledgeable, as we've seen displayed in the House here—to take on this decision-making process and the leadership that's required. I've heard that from doctors in my community. Despite the former Minister of Health—the two former ministers of Health, I might add, are here—they fully know the politics and the territorialism out there that challenged you when you were the minister, Ms Lankin. I can attest; I heard you speak.

The reforms made in Bill 26 will enable our government to continue to re-engineer the health care system away from administrative structures and towards a friendlier patient focus. We are revamping the Health Insurance Act and the Health Care Accessibility Act. We are ensuring that all patients, regardless of what part of the province they are located in, have access to appropriate medical services when they are needed and where

they are needed. Individuals who live in my constituency and other remote areas, like Marathon and Hornepayne and Manitouwadge, have the same right of critical services as patients who reside here in Toronto or Hamilton or London. I think our minister is taking steps to address these underserved areas and follow up on many of the recommendations in the Scott report.

The changes we are making to the drug plan and other portions of our plan are a compliment to our Minister of Health. I recognize that there will be detractors for our plan—we've heard that today in this chamber—but I say to these members, it is my sincere belief that maintaining the status quo as we know it is not an option. Having over 70 communities, including my riding of Durham East, with inadequate coverage in physician services is unacceptable to this government.

We are leading. We are not leaving our communities without the necessary tools to bring about the much-needed change we all know the hospital system and indeed the medical system require in this province. Health facilities with little or no accountability to the previous ministers of Health—I'm not sure they took the appropriate action. There are no concerns that I've seen demonstrated for the care of patients, let alone accessibility and, most of all, sustainability. That's what this is about.

1700

A drug benefit program that is not income-sensitive nor plans for its own sustainability into the future is also not acceptable to the government. Unfortunately, politics by its nature will mean that those across the floor who know in their hearts that change must come will feel compelled to dissent for the sake of dissent, and we've seen that in a despicable fashion over the past week.

I deplore the quality of membership and leadership on the other side. The vested interests who would maintain the status quo will be calling their local MPPs and writing their local newspapers to decry the progress we are making in bringing a patient focus and accountability to the health care system.

To those who recognize the need for change, our partners in the system and the taxpayers of Ontario, I know they realize what we're doing is the right thing. Help us take up the challenge. Support Bill 26, and I'm sure that it will correct many of the long-standing problems in health care in Ontario today.

**The Deputy Speaker:** Comments and questions?

**Mrs Caplan:** I would say to the member that I could just imagine what speech he would have given if any government consisting of anyone from this side of the House had tabled Bill 26 and proceeded to attempt to ram it, yes, railroad it through as the Harris Conservative government has done and is attempting to do.

While the member stood in his place to compliment and defend a bill with the kind of broad, sweeping, absolute powers that it is giving to ministers of the crown, unprecedented in history, I would tell you, Mr Speaker, I was sitting here just trying to imagine what speech that member would have given if he had been on this side of the House.



I sat on that side of the House and I heard the speeches that came from Conservative members of the opposition, speeches which were determined to stop progressive, positive changes that were supported by many in the community. You talked about turf protection. Let me tell you there was no one like Jim Wilson and Ernie Eves and Mike Harris when it came to advocating for whoever's turf was being invaded.

Listening to the kind of sanctimonious drivel that the member opposite has put forward, I would only say to him: "Sir, who wrote your speech? Get a new speech-writer."

**Mrs Boyd:** I too realize that the members of the Tory back bench are required to mouth the words that they've been given around this bill and that it is imperative for them to maintain the solidarity that has been required of them around ensuring that no one makes any cracks in the determination of this government to move ahead, regardless of what anybody says about the proposals that they're putting forward.

I'm going to be a little more gentle than my colleague from Oriole with the member, because I understand what the member has been instructed to do and I understand how difficult that is.

I would just say to the member that when you go on about this being responsive to patients, that the whole purpose of this is to be more responsive to patients, you must expect that patients who are suddenly finding themselves paying a user fee for their drugs are going to find that hard to stomach. They're going to find it very, very difficult to believe that you're trying to be responsive to them and to their children.

For those of you and us here who enjoy drug benefits through our place of employment, it's often difficult to imagine what a \$2 fee on each prescription costs a family of five where three of those members, for example, have a chronic disease like asthma. When you talk about asthma, you talk about many prescriptions in a month, many different prescriptions for two or three members of the family, that \$2 if you're on welfare or on a fixed income builds up very quickly.

I think the member ought not to be surprised if he finds some of those people in his office find it difficult to think of him standing in this place defending patient responsiveness.

**Mr Dwight Duncan (Windsor-Walkerville):** I just want to comment, first of all, that many of the members opposite in the back row and the member for Durham East are thoughtful, incisive and intelligent people who were elected by the people in their constituencies.

I know that when they look at Bill 26, a bill which none of them had any input into, a bill which they all know very well was not subject to public consultation, when they're not here and they're not being told what to say, they find it offensive. They find it offensive when the Minister of Municipal Affairs shows in the House that he obviously isn't even aware of what's in the bill that affects his ministry. They find it offensive when they know that the bill was dropped on their laps without any kind of formal consultation, and they dutifully get up and

defend the government to which they were elected, as they should.

But they understand well that, like Bill 7 and other pieces of legislation that get rammed down the public's throats, there will be problems. They're thoughtful people. They're decent people who represent anywhere from 80,000 to 100,000 other people in this province. I wouldn't want to engage in a game of who gets the most calls on what, but I know the more thoughtful members opposite in the back rows share the concerns of the official opposition. The member for Chatham is a thoughtful guy. I know how he feels. He doesn't like having this kind of stuff thrown at him without any kind of involvement, and I respect that.

**Mr Jim Flaherty (Durham Centre):** I applaud the comments and the speech from my friend from Durham East. The opposition dwells on what they perceive to be negative aspects of Bill 26. In the hospital sector there are a number of features that I think the hospitals find attractive and that our friends opposite do not dwell on.

Some examples of the tools that the hospitals have requested and that are being provided by Bill 26, some of them mentioned in the economic statement, were multi-year funding commitments for hospitals, commitment to work with the sector on a fair and equitable process to implement funding restrictions and, importantly from a fund-raising point of view, the ability to establish crown foundations to make it easier for hospitals to solicit charitable donations, which would be very important for those who contribute to hospitals in the future.

There's also the commitment to increase flexibility to generate revenue and, as my friend from Cochrane North has noted, the guidelines for arbitrators to consider employers' ability to pay salary and wage increases.

This is only fair and equitable, and I'm sure my friends opposite would want it to be fair and equitable, that is, that persons in Ontario would want to share equally in the restraint that is necessary as we restructure not only the health care area but other areas.

This is a tool that the hospitals have asked for which we are providing to them so that they can restructure in an appropriate manner, not only in Durham region under the acute care study but around the province of Ontario in more than 60 areas as the minister has described.

1710

**Mr O'Toole:** In response to the statement I made in support of the Minister of Health on Bill 26—I'd first like a little instruction for the members opposite. I, for one, am one of the people who has traditionally been called a backbencher, and I take great exception to the way that term is being used. But I would like to point out to you, more importantly, that if I'm a backbencher, you must be totally immobilized because we, at the end of the day, are the government and your point is only to criticize, and that's all I've really heard. Nothing constructive comes from the other side.

This bill really maintains all the principles in the Common Sense Revolution. We promised to cut spending. Indeed we cut spending while at the same time protecting the spending in health care to \$17.4 billion.

That takes real leadership with a plan, and each one of us here, whatever our role is at this time in this government, we have all been participants and kept very much informed of what's going on.

In terms of ramming the bill through, I would like to make reference to the antics pulled last week by certain members of this House, including the potential leadership candidates, of which the member for Oriole may be one. I hope they become the leadership, because the people have seen how you really react and the type of leadership we can expect from them in the eventuality of an election.

As for Bill 26, I have met with many members in my riding from the municipalities, the universities, the schools and the hospitals. They were all prepared for many of these cuts. They were surprised, I might add, by the quickness and the decisiveness with which this government has moved. But I want to assure you that each member you have heard here today is more competent than anything I've heard from the other side.

**The Deputy Speaker:** Further debate?

**Mrs Caplan:** I rise today to participate in the debate on Bill 26, which has been the cause of a lot of anxiety and, frankly, personal distress for me. The bill is something that I have never seen in my over 10 years here in this Legislature. I've never before seen a piece of legislation that contains as broad, sweeping new powers given to members of the government in such a broad spectrum of ministries. It has been suggested that somewhere between 44 and 47 different pieces of legislation are affected by this budget bill—we call it an omnibus bill.

I know that budget bills, omnibus bills are frequently used and have been used. They deal with items that flow from a budget, usually tax initiatives, and very often they also contain housekeeping components. One of the things I have found frustrating over the years about the use of omnibus bills is that it doesn't give you the opportunity to support those parts of it that you would like to support. It's a yes or a no, one vote only. So I'm going to get on the record at the very beginning of this debate that I will be opposing Bill 26, that I will be voting against it and that I can't imagine sufficient amendments that would be brought forward to this bill that would make it acceptable.

I want to be very clear that the concern I have is that the three weeks of public hearings the government has finally agreed to will still be inadequate, in my view, to hear from all of the people who have an interest in this bill, from people who are just now beginning to see the implications. It's my understanding, my office tells me that, so far, over 150 individuals and organizations have made requests to appear before the committee hearings that are going to be held on this bill.

I thought I would begin my remarks by a quote. I don't do this very often, but I'm going to use a quote that I think says a lot about what has happened in the Legislature over the past week. It's a quote by Winston Churchill in the House of Commons in October 1944. The reason that is a significant date for me is that I was born in 1944 and he made these comments when I was just a few months old. The quote is as follows: "It must

be remembered that the function of Parliament is not only to pass good laws but to stop bad laws."

That is the function of Parliament, that is the reason that I ran for public office. When I decided to run, I said then and I believe now that every member of the Legislature can make a difference, to pass good laws and stop bad laws, in the words of Winston Churchill, to influence in a positive way the public policy as it is developed in this province.

Certainly, there is no question that as a member of the government that influence is more direct. But as a member of the opposition, while I have days when I have wondered whether or not I was fulfilling my own personal goals, being able to influence in a positive way, I've had days when I've seen the rules of this House changed to limit members' ability to raise the public consciousness. I recognize that the government is duly elected and as a duly elected government, it has every right to put forward its agenda. But they do not have the right to put forward that agenda and not permit scrutiny.

It is my view that democracy requires transparency. Democracy requires debate and understanding of the actions that a government is proposing. Democracy requires dissent. It is the role of the official opposition to hold the government accountable for its policies, to point out the areas where those policies can be improved, and yes, to endeavour to convince the government that the policies that it is bringing forward are not in the public interest and therefore should be abandoned. In fact, in the 10 years since I've been in this House governments have put forward policies and then retracted them, put forward ideas and suggestions, which in the light of public scrutiny they decided it was not wise to proceed with them.

But we have no Senate in Ontario; the Senate is in Ottawa. That is the House of sober second thought. Those processes and procedures, while they may seem tiresome and cumbersome on many occasions, offer the people of Canada, the people of this province, the kind of public scrutiny that safeguards our democracy. When you see a government such as we have seen in this past week bring forward a bill of the magnitude of Bill 26, with provisions that I will in just a few minutes start to examine, and ask to have that bill completed without the kind of public scrutiny and debate that would allow for transparency, that would allow for debate and dissent and that would allow for appropriate amendment and change, that is anti-democratic, that is giving to the government the kind of dictatorial authority that was never contemplated in elected parliaments.

So, with all of the passion and the force that the opposition could muster, we demanded that the government hold full public hearings, not while people were doing their Christmas shopping, but during the month of January when people would have the opportunity to come to committee, not just at 11 o'clock at night, but during day-time hours, when people could come forward and put their views forward and make their submissions. It is my hope that people will see what I see in this bill, that the government will see what I see in this bill. Some parts of it perhaps can and should be amended and some parts of



it should be withdrawn, some parts of it cannot be fixed, and it is my hope that the government will see that and will respond to the representations that are made at committee.

I wanted to just mention a few of the things that are in the bill that I would like to support, that if these bills had been brought in separately, they would have had my support. I've said before in this House that if the government brings forward things that I think are good, I will support them.

I would support the disclosure of public sector salaries in excess of \$100,000. That is in this bill and I support that. I support that because I think that democracy requires transparency and openness. Particularly in times of constraint and restraint, it's important for the public to have the right to know how their dollars are being spent. I think disclosure of salaries for the highest-paid workers in the public sector is appropriate. So I would support that.

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We know that this bill also contains the implementation of tax measures that were left over from the previous government. Because this House only sat for 16 days, the previous government was never able to pass its tax measures. Those tax measures have been in place and have been collected, because we know that when a budget is presented, all of that legislation is retroactive. The truth is, Mike Harris and the Conservatives could have decided that they would have repealed those and not brought in the legislation, but I don't think anyone would fault them by saying, "As much as I'd like to get on with life and get this over with"—while I don't support the actions of those taxes, I do believe that you have to clean up the business from the past and get on with doing what you believe is part of your mandate.

But I have to tell you, Mr Speaker, that there are just a few other things that I can support without concern in the bill. I think that it is important that municipalities will be required to publish information relating to the efficiencies of their operations so that taxpayers can fully scrutinize their operations. I also think that it's important that hospitals provide information and data in a consistent form, according to generally accepted accounting principles, to the ministry. Those are, I think, positive parts of this bill.

But now I will be spending the rest of my limited time on those things that I have serious concerns about, because not only does this bill deal with those few items that I've just suggested in the area of salaries and leftover tax measures and powers to municipalities to disclose and hospitals to disclose information, but it deals with such items as how Ontario's hospitals will function, the drug benefit program, the Health Insurance Act, Physician Services Delivery Management Act, Pay Equity Act.

On that, as the women's issues critic, frankly I despair that we're not going to be able to have a debate over the changes in this legislation which will affect the many women in this province who would benefit from the proxy method of comparison. I will put on the record that I had some concerns about that method of comparison when it was brought in by the previous government. I

would like to have had an opportunity to have further debate and discussion about it. That's not going to be possible, because in the magnitude of all of the things that are in this legislation, that's not one that seems to be of interest to the government sufficient that they would highlight it and give it time.

I have concerns about the freedom of information legislation and the new charges; the opportunity for municipalities to levy new taxes. While we hear from this Premier who promised no new taxes without a referendum, we now see a very specific new law that will give broad taxing powers to municipalities which would include poll taxes, better known as head taxes, taxes on gasoline and a host of other kinds of taxes that the Minister of Municipal Affairs and Housing is having difficulty himself explaining to this House.

This government will be able to realign and restructure municipalities without process and without consent, and I think that is serious and deserves discussion.

We have such things as the fire prevention and protection act, the Game and Fish Act, the Public Lands Act and Mining Act, most of which, in all of those, take things out of legislation and put them into regulation. I think that, while some of that may be just fine, others I would have concerns about since this government has also set up a group that is looking at substantial deregulation. I think that may be fair, but I do wonder what will be the implication of these changes. Will we have the opportunity for scrutiny? Given the impact of the health provisions of this bill, I suspect not.

Similarly, on the arbitration of wage disputes, I wonder how many firemen and policemen and hospital workers and people who work in school boards really fully understand the implication of the changes in direction to arbitrators in the "interest arbitration context."

The last thing that I would mention that's in this bill are changes to the public sector pension plan where we've been told that 10,000 civil servants, people who presently work for the provincial government, will be disadvantaged to the tune of \$225 million potentially in their pensions. I think they might like to have a greater say about that, certainly it should be pointed out and noted, and I doubt that there will be a lot of time given to those at committee.

But the parts of this that I find most troubling and that my attention will be focused on are the impact of Bill 26 as it relates to the Ministry of Health. As a former Health minister, I understand what this minister is attempting to do, and I will say to you that there were days when I sat in the chair at the Ministry of Health when I said, "Gee, I wish I could just do this." At the same time, I said, "I'm really glad I can't do this unilaterally," because the process is important, because consent, consent of those people who are the front-line workers, consent of those people who are responsible for the delivery of services and have that responsibility, is very, very important. Why? Because we have a publicly funded, privately run non-system. We all recognize that you have to create a system. I've been saying since 1987 that the status quo is not an option. But absolute power in the hands of the Minister of Health is not the option either.

I believe that every special interest group, as you would call them—I would call them stakeholders, partners in the delivery of health care—all of the professions who are on the front line in caring for people, all of those people who deliver the services in the hospitals, in the independent health facilities, the administrators, the volunteers, but most especially the public, the people who access those services when they are sick or when they are worried that they are getting sick, all of those people think that health services in the province of Ontario are pretty darned good. They only would like to see it made better. No one is saying that it's perfect. In fact, we all know that there's a lot of room for improvement. But the ideas of how to improve it are not all vested in the Ministry of Health and the people who work in the ministry.

In fact, if you look at the history of the Ministry of Health, what you'll find is that it primarily acted as an insurance company, and gradually over the last years the policy has evolved and it has been more involved in planning, and we heard the discussion of managing. My view was always that the ministry should be a full partner. But that's not what this minister is proposing. He is not proposing partnership; he is giving himself the unilateral power to close and amalgamate hospitals as he wishes. There is no definition in this legislation for "the public interest." If Jim Wilson thinks it's in the public interest, so be it, that's it.

Who knows what the next Minister of Health will believe is in the public interest? Three years is the longevity of any Minister of Health. I was one of the longest-serving ministers. In fact, my deputy and I were the longest-serving team of minister and deputy, and that was three years.

So I say there is a big worry, because if you leave the definition of "the public interest" in the hands of any individual minister with no process, no scrutiny, then you're asking for trouble, and we will no longer have a publicly funded, privately run non-system. We could well end up with a publicly funded, government-run system, because why would anybody want to serve on a local hospital board if the minister has the power to tell that hospital exactly what services they can provide, what services they can no longer provide, what level of service they can provide, what level of service they can no longer provide?

That's the power that this minister will have. He will have the power to say to a hospital, "You can't provide that any more; I'm now going to provide it in an independent health facility," and without any process, without requests for proposals, he can decide who's going to provide that in an independent health facility. That's the power that the minister has in this bill.

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He has broad powers to appoint inspectors and supervisors, to take over a hospital like that if he believes it's in the public interest. What is the criterion or test for the public interest? Zero. Nada. Nothing. If Jim Wilson or any future minister believes that it's in the public interest, he can literally wipe out the board and take over a hospital.

We have already heard the concerns about disclosure of personal information, and the minister stood in his place and said I was wrong. He said, "The member is in error." He said that my leader was fearmongering, that I was fearmongering, and then on that very same day and the next day he received a letter from the Information and Privacy Commissioner. Do you know what Mr Wright said? He said he shared our concerns; he said we're right and the minister is wrong.

We talk about sections and provisions of this bill that cannot be fixed, the sections of this bill that pertain to the protection of personal privacy, the access to records and disclosure of those records by the minister which in my view must be taken from this bill and a separate piece of legislation, as recommended by Mr Wright, the freedom of information and protection of personal privacy commissioner—he says, "I believe that specific health information, privacy legislation, is required." In that context, all of the provisions of Bill 26 that deal with access to information, disclosure, photocopying, all of that belongs in separate legislation that would protect the privacy of the people who access health services in this province.

Not only can the minister and the general manager of OHIP not be sued for disclosing personal information; they cannot be sued by anyone. If they decide to close a hospital or an independent health facility, there is no action or recourse to the courts whatever for wrongdoing. This legislation saves them, harmless, from any action no matter how it is taken and that is just fundamentally wrong. It doesn't fit with any of our laws of fairness—no access to the courts at all to test whether or not you have been treated fairly. That is Jim Wilson and Mike Harris.

By the way, this is a Premier who told us, "I have no plan to close hospitals," and now we have a Minister of Health taking unilateral powers to do exactly that, and the plan here would accelerate the proposals that are coming. I despair that this is the response from the minister following a promise and a commitment from his Premier during the election campaign.

On the Ontario drug benefit plan, the minister has told us that Ontario is the only jurisdiction not to have user fees or copayment for drugs. But I want to remind the minister that the promise of his Premier during the election campaign was, "No new user fees." They didn't say, "No new user fees except"; they were very clear, and when asked, Mike Harris said a copayment is a user fee.

Just for the record, I want to say to the minister that he is being more mean, I guess is the word, when it comes to how it's being imposed, than any other province in Canada, from what I can see.

In British Columbia seniors who are unable to pay the dispensing fee can apply for relief. For seniors who are in long-term care facilities and for social assistance recipients and medically dependent children there's no copayment, there's no deductible, there's no user fee in British Columbia.

In the Yukon there's no deductible and there's no copayment for seniors and social assistance recipients.



In Quebec there's no deductible. Seniors do pay \$2 per prescription, but that's to a maximum of \$100. The proposal here says wealthy seniors—anyone with an income of \$16,001 is considered wealthy by this government—they have to pay a \$100 deductible plus \$2 for every prescription. Because the deductible can be adjusted by regulation, who is to say how long it will remain at \$2?

In Manitoba, seniors receiving social assistance living in personal care homes do not have to pay the copayment.

In Newfoundland there is no deductible for anyone and no copayment for welfare drug card holders.

In New Brunswick there's no deductible. Seniors eligible for nursing homes have no copayment, and there's no copayment for eligible nursing home recipients and recipients of child welfare.

I'm sad not only that they have broken their promise but I'm sad when I think that this is a government that is hurting women and children. They are hurting needy and sick senior citizens in this province. They're hurting them not only by breaking their promise of no user fees, but they are hurting them and targeting them for a level of pain that I don't think anyone in this community fully understands yet.

I wish there were more time for me to go into details of what this government is doing to the medical profession. I can tell you that I had my problems. The Ontario Medical Association and I frequently had tensions. I think it would be fair to categorize it as tensions. We didn't always agree, and there are always struggles when it comes to negotiations, whether it's with the OMA or the Ontario Pharmacists' Association. But you know something? My door was always open and they knew that. There was a lot of good work going on in policy areas. I never, ever would have dreamt of saying to them, "You can no longer negotiate."

That's what he said to the Ontario Medical Association, to the Ontario Pharmacists' Association. Pharmacists will no longer have a forum where they can discuss any of the non-fee issues. He slammed that door in their face. He said to the Ontario Medical Association: "You are the union but you are no longer the negotiating agent. You can be an advisory committee."

On top of that, billing numbers are not the solution. There are many good proposals that have been coming forward in recent days, proposals such as rostering and capitation payments. For people who don't understand what that means, that's where individuals choose their family doctor, as I do mine. He's now part of a health service organization. He's paid an annual fee for myself and my family. It's a much better way of resolving the manpower considerations and concerns, and particularly the young doctors are very worried about what their future is in Ontario.

The minister has created an environment of fear. He's also poisoned the atmosphere when it comes to negotiation. Frankly, I'm telling anyone who calls my office not to be concerned about the Canadian medical protective payment because the minister must fund and ensure that

women have access to obstetrical services. The minister must fund and make sure that people have anaesthesia services, those services that have astronomically high insurance premiums. The minister has to consider what the impact will be on services, and I know he knows this and I know he's going to do something.

My theory is that many areas of Bill 26 I would describe as hog-tying six ways to Sunday, so that when they finally give some relief in a couple of those areas, everyone potentially will give a sigh of relief and say, "Well, they didn't do it all." But that's no way to negotiate. That's not good-faith negotiation. When I look at Bill 26 and I hear the concerns that are being raised by people who say, "Let us tell you how to do this; we want to work with you," I feel despair because I know there's a lot of good advice that the minister could be receiving.

Let me tell you what he's done. He's said to all of his so-called partners, "Give me your advice, then I will cherry-pick and then I will stand up and I will say you asked for this." But the Ontario Hospital Association says, "This is not what we asked for"; the Ontario Medical Association says, "This is not what we asked for"; the Ontario Pharmacists' Association says, "You wouldn't even talk to us"; the Professional Association of Interns and Residents of Ontario say this is not what they asked for; the Council of Ontario Faculties of Medicine say this is not what they asked for.

In trying to ram this bill through, railroading it through, the minister is sending out a message which I believe is the wrong message and could seriously lead to the dismantling of what is considered one of the best in the world, and that is the delivery of health services in the province of Ontario.

1740

I've been in this House for over a decade and I've had some personal goals. One of my goals was to make a difference. Another one of my goals was to always make my children proud. I want to tell the House how pleased I was that last week, following the hell-fire and brimstone, following the moments where, frankly, I lost my cool, each and every one of my four children made an effort to call me and say, "We're proud of you for standing up for democracy, for saying what you believe, for trying to convince the government that what they are doing is wrong."

I'm going to end my remarks by repeating once again Winston Churchill's comments, which I hope the members of the Conservative back bench will listen to. I want them to know that a back bench doesn't just have to read speeches that have been written for them, they don't have to say what they've been given, they don't have to clap and applaud when they're told to clap and applaud; they can also have an enormous influence within the government caucus. They can stand up for what they believe is right, they can hold their ministers accountable and they can make a positive difference by refusing to allow their ministers and their Premier to railroad them into bad legislation.

In 1944, when I was just a couple of months old, Winston Churchill said the role of Parliament is to pass good legislation and stop bad legislation. Bill 26 is bad

legislation. I have done my part to stop the bad provisions of this bill by ensuring public hearings and I call on everyone to join me.

**The Deputy Speaker:** Comments and questions?

**Mr Len Wood:** I listened very carefully to what the member for Oriole has brought forward and explained as far as health care is concerned, especially the comment that she has brought forward as far as, if it's good legislation, all the legislators in here should be proud and make sure that the legislation is passed.

When you have bad legislation as we've seen, where you take 40 or 47 different pieces of legislation and you cram them all into one bill and it's 211 pages in length, and there are over 2,000 pages of supporting documentation, and try to ram it through the Legislature, which affects everybody in this province—it gives the Conservative government the right to put a poll tax on; user fees for health care. We went through that and our leader explained that in his debate yesterday and during questions, how proud the seniors are that they're going to be having to pay a \$2 fee and a \$6.11 dispensing fee, and it could add up to hundreds and maybe even \$1,000 a year in extra charges to the seniors who need prescription drugs to save their lives.

It's kind of scary, when I reflect back on what I watched on Focus Ontario the other night, where the Chair of Management Board was saying, "Our window of opportunity is very short." The impression I got from that was that if they don't ram this down everybody's throat now, they know they're only here for one term—even the damage they've done so far is—and they're on Global television saying, "We've got to ram this down everybody's throat now and let the municipalities charge everybody a tax increase, charge gas tax, charge a poll tax on people"—

**The Deputy Speaker:** The member's time has expired. Comments or questions?

**Mr Jack Carroll (Chatham-Kent):** I listened with great interest to the comments from the member for Oriole and the emotion with which she said them. According to her, she said since 1987 she has argued that the system needs to be changed, and I agree with her 100%. She also said there's a lot of room to improve the system. I've served on hospital boards while she was the minister and while Ms Lankin was the minister and I agree: The system does need to be changed. The problem is that it is now 1995, almost 1996, and the system has not been changed. It is still broken and somebody does need to take control of it before we don't have a system.

I also listened with great interest to the comments that she made about hearing from her four children and about the wonderful things that happened in the House last week. I only have three children and I also heard from my children. My children told me that they were embarrassed that I would be part of an association that would conduct itself in that manner.

So there are two sides to that story about our children, and I must tell you that it was a deplorable situation and I'm surprised that you would stand here and say that your children complimented you for that.

*Interjections.*

**The Deputy Speaker:** Order.

**Mr Carroll:** Thank you, Mr Speaker.

**The Deputy Speaker:** Questions and comments?

**Mr Bruce Crozier (Essex South):** I too have heard the member for Oriole speak on a number of occasions. She always speaks with sincerity, with eloquence, but always with reason, I think. Today she spoke that way and she spoke of process.

The member for Chatham-Kent just mentioned how his children reacted to last week. I suspect they were doing so because they respect what their father says and does, but I suggest that if they had known that their father was a part of a government that had locked opposition members up in a room and that had heard the bells ring and couldn't answer the bell to take my rightful place in this Legislature and vote, and then if they had heard that their father's government was going to pass this bill by today with perhaps some public hearings that they finally offered by saying, "Yes, we'll give you 360 hours, but it'll be before Christmas, it will be till midnight each night and you'll have little time, public, to prepare," I suggest that maybe they and their father, the honourable member for Chatham-Kent, could have sat down and had at least a discussion about why that process took place.

It's important to me and to the people who sent me here that I have the opportunity to vote. It's also important to them on issues so important as those that are contained in Bill 26 that there be public input, that it be a transparent issue and full discussion. That's what's it all about. My children aren't ashamed, nor am I.

**Mrs Boyd:** I'm happy to get up and comment on the speech and the comments that have already been made. I would suggest that the member for Chatham-Kent, if he worked on a hospital board in his community, knows some of the reasons why communities are apprehensive when governments pursue restructuring. I suspect he was as much of a part of the delay within his community as many hospital boards have been in theirs.

Sometimes, of course, when we're in government, we believe that it is important to overcome all of that apprehension all at once, and that's exactly the temptation that this government has succumbed to. There isn't anyone who has been a minister on this side of the House who hasn't, at one time or another, thought briefly to themselves, "I could fix this if I just had the power to do it."

The issue in a democracy is that one person should never gather that power to himself or herself, that the democratic process involves those who own authority, as members of provincial Parliament need to work with their communities and convince others to work together towards a common goal and not to use the kind of sledgehammer that has been put in the hands of the Minister of Health by this bill.

The previous Minister of Health in the Liberal government, the honourable member for Oriole, knows very well and began a process of restructuring which our government carried on. In fact, we have seen enormous success in terms of the changes that have happened.



No, it hasn't gone lickety-split, quick-fast, so that any one of these two governments could take the credit for that. That's not the way evolutionary process, democratic process works in making massive changes within our community, and that's why there is opposition to Bill 26.  
1750

**The Deputy Speaker:** The Chair recognizes the member for Oriole; two-minute response.

**Mrs Caplan:** In this House, we are the guardians of democracy. We have to make sure that laws are fully scrutinized, that we give due consideration, that the public knows what's happening and that they have their opportunity to have their say and be heard. If at the end of the day, after all of that public scrutiny, after all of that transparency and debate, the government still wishes to proceed with its legislation, it has a majority and it can do that.

But to stand in this House and to say, "Progress hasn't been quick enough and so we're going to get rid of all of democratic process, we're going to take all of the powers into our ministers' hands and without any further debate,

scrutiny, legislation, we're going to fix it because we know best," not only is that not democratic, it won't work, because the way of Ontario has always been people working together.

If there were any advice that I could give to this government, and particularly to your Minister of Health, it is, you do not want all of these powers. It is not good or right for any one minister to have all of those powers. You need the consent, you need the cooperation of your partners. They will not be partners if you have all absolute power and control.

Mr Speaker, I cannot tell you how strongly I feel about this. I've told you that I've sat in the chair and I had days when I said, "Golly, gee, I wish I had all those powers," and I would tell you that I stand here today and I say I was glad I didn't have them then—in fact, I knew then that it would be bad—I'm glad today that I never had them, and I hope that this minister and no future minister ever will have them, because absolute power corrupts absolutely.

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Speaker  
Honourable Allan K. McLean

Président  
L'honorable Allan K. McLean

Clerk  
Claude L. DesRosiers

Greffier  
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# LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 12 December 1995

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 12 décembre 1995

*Report continued from volume A.*

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## SAVINGS AND RESTRUCTURING ACT, 1995 LOI DE 1995 SUR LES ÉCONOMIES ET LA RESTRUCTURATION

Continuation of debate on the motion for second reading of Bill 26, An Act to achieve Fiscal Savings and to promote Economic Prosperity through Public Sector Restructuring, Streamlining and Efficiency and to implement other aspects of the Government's Economic Agenda / Loi visant à réaliser des économies budgétaires et à favoriser la prospérité économique par la restructuration, la rationalisation et l'efficacité du secteur public et visant à mettre en oeuvre d'autres aspects du programme économique du gouvernement.

**The Deputy Speaker (Mr Bert Johnson):** Further debate?

**Ms Frances Lankin (Beaches-Woodbine):** I am pleased to have the opportunity to participate in second reading debate on this omnibus legislation.

I want to pay a compliment to the member for Oriole, who's a colleague ex-Health minister. I thought she did a very good job of taking us through many of the health sections in as much detail as she could within the half-hour time limit given to her to speak on this very large bill. Many of the concerns that she raised are concerns that I as a former Health minister share, and I agree with her analysis on the powers contained within the bill and on the dangers of those powers.

I actually intend to speak on some other parts of the bill tonight because I think she's done a very fine job of that and that in the time we have available, as we are going through this, it's important to try and raise as much awareness about various points of the bill before we go into committee hearings.

I have to say to members opposite, in sort of a context-setting way, I guess, that I'm surprised at the fierce defence I hear from many government members, particularly many of the newly elected members, the fierce defence of this bill and the process in this bill, that somehow this is all okay. I've heard a number of members blindly tout the line they heard one of their ministers give in an answer to a question, that there had been previous omnibus bills like this and there had been other examples—Bill 175 I think was referred to—in the previous government.

I would really like to ask, perhaps even challenge, some of the newly elected members to go back and take a look at previous omnibus bills, the process by which they were introduced, what was contained within them. I think they'll find, and this is true of any government, at a point in time there are various parts of the bureaucracy

and the ministries that want housekeeping changes to a lot of different acts that they work with: there have been court rulings or there have been changes in technology and processes or whatever. These things pile up one after another after another, but, you know, they're never quite important enough individually to get time on a government's legislative agenda because, of course, as legislators, as political parties, we have things that we want to accomplish, things that are large policy areas that we want to tackle and to deal with and to complete that process, and of course we set our own priorities for the legislative agenda. Many of these housekeeping things, just the business of government, the ongoing oil in the wheel or the cog, somehow don't get dealt with. I think if you look at previous omnibus legislation you'll find a whole lot of those things together.

Let me give you an example from the last government of a process that was undertaken for a huge omnibus bill in terms of the number of specific amendments—I will admit it was larger than this in terms of specific amendments, nowhere near as large in terms of the policy import of what was being done, but more amendments. It was put together. It was circulated to the opposition parties to take a look at. We said: "We'd like to proceed with this. What do you think? Do you have any strong objections to the way it's been put together? Are there any areas that are really problematic?" One of the parties indicated significant problems with a section, that this was in fact too big in too much of a distinct policy area and it would be an abuse if we continued and had that joined in this omnibus bill; so we agreed to sever that and take that out.

Quite frankly, I think that opinion at that time was right, that this should have been severed out, and we responded. It's very different than what we're dealing with here. I really urge you to go back and look because there will come a time, if you have long legislative careers, when you will sit somewhere else other than where you're sitting and you will want to know that you have the ability to represent your constituents, yes—we all have a responsibility to do that—and an opportunity to put forward your views, your perspectives and those of your political party. Those are the rights of legislators.

When you have very, very large public policy issues in discrete areas of legislation being strung together in an omnibus bill like this—and of course we know the timetable that had been originally attached to it—you deprive all of us in this House and the public of Ontario of an opportunity to understand the legislation that's being proposed, to examine the impact of the legislative changes, to make arguments about the appropriateness of that, to discover errors in drafting, or certainly errors in taking a read of public opinion as to whether or not they want this to be done, and the opportunity to amend it.



You know, much has been made in the last couple of days from certain members in the government that members of the opposition got what we wanted; we got our public hearings; we should be satisfied. "The public hearings are there, what are you whining about now?" Well, let me tell you, in the end of a very long night we came to an agreement between three parties, between two diametrically opposed positions: a government that wanted this bill passed in eight days of legislative time before the Christmas break and an opposition that wanted enough time to debate the bill properly, which meant splitting the bill into a number of different areas and having many of those referred out to public hearings. Somewhere in between there, there was a compromise.

Now, I'm an old negotiator. I understand that sometimes you make compromises. Sometimes you arrive at a deal that is a compromise because people are so far apart and you've got pressures, time pressures, whatever. Let me tell you, compromise isn't always the best or the right answer. I believe profoundly that we are still dealing with a piece of legislation that is much too large, much too complex and in too short a period of time to have a full understanding of what it is the government is doing and to be able to comment on it as legislators and as representatives of the public when they come forward in the hearings. As we go through question period each day, surely you must be coming to that conclusion as well.

There could be no more stunning a display of that than what we saw in question period this afternoon. I don't at all envy the job of a minister of your government right now trying to explain aspects of this bill, because I suspect a whole lot of this was done outside of the offices of ministers of cabinet. But I'm sorry, unfortunately the job, in part, that you're paid for is to defend your government's actions and your own ministry's actions within your portfolio area and to explain what your intent is and what you're trying to do.

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I have myself experienced occasions where I was very clear on what our intent was and where I was advised by people that that's what the words accomplished, only to find out over a period of time, as we went through debate in the House and as other opinions were offered and as we went through examination in committee, that the words in fact accomplished something different than what our government had intended and/or what I'd been advised.

That's not unusual, and when you put together something that's very massive, very complex, that's moving into some new territories in terms of shifting of powers, of responsibility, between levels of government etc, and you're doing it very quickly, it's not only possible that there are going to be significant errors in wording—some of them just drafting errors, some of them the research not having been done adequately enough to understand how to get to the right legal construction of the language—it's not only likely, it is probable.

May I just remind you of your own experience? Forget about listening to my experience and others in this House. Think of your own experience in terms of Bill 7, a bill on which you kept the debate time in the House

very short. You didn't hold hearings, you went into committee of the whole, and we had the spectacle of the minister being prompted by staff from the ministry on the floor in terms of this amendment or that amendment going through, moving something like 66 amendments to your own legislation, amendments that were tabled with the opposition just before the process started, amendments I'm sure you never saw. They never went through your caucus. As we were going through them and you were saying, "Yes, I support that. Yes, I support that," you hadn't even had copies. Surely there's got to be something that you all understand is wrong about that process.

Yes, it is right for a government to be able to achieve its legislative agenda—absolutely. But there is a due process, and that due process isn't just one of fairness. It's not just one of treating the folks on this side of the House fairly. That's not what I'm arguing. There's a reason that we have debate and that we have committee hearings and that we have clause-by-clause analysis with sufficient time to look at, to understand the import of, to understand the problems with, to recommend amendments, to deal with debate on amendments and to potentially amend.

I know you will pass this bill on January 29. I know that. I don't know what form this bill will be in. Is there any one of you who could suggest to me that it will be verbatim as we see here, that that's what you will pass? I don't think so. I think you've heard already areas of significant concern.

I can mention the privacy commissioner's letter, and immediately your minister indicated, "If that's the case, we'll have to amend it." I suspect as we get through some legal opinions on the Minister of Municipal Affairs' clause dealing with user fees and charges for services that may be levied in the nature of a direct tax, when we understand what that really means, we'll probably find that he's going to have to amend that section too.

There are such a lot of areas here that I'm not even sure the members opposite understand what the bill does in reality. I've heard your descriptions of it. Let me deal with one; this is a touchy one. I know that you don't like unions very much. I know you don't like the processes that are out there and the laws, but I heard a member just earlier today talk about the section on arbitration. That member indicated that these were the tools that hospitals needed and wanted to be able to effect the restructuring.

Do you understand the history of the legislation that currently is in place that guides arbitrations in the public sector? The concept is that workers in a free, democratic society, under provisions of the ILO and others, have the right of freedom of association, and included in that is the right to withdraw work under structures of legislation, in legal circumstances; the right to strike, in other words.

We as a society have come to some agreements with workers in certain segments of our society and said, "No, your work is essential work, essential to the public good, and we're going to legislatively take away your basic right of freedom of association and right to strike and we're going to replace that with a system of third-party arbitration of your collective agreements."

Things that, if you were in a steel mill or an auto plant, you would bargain over and either reach an agreement on or potentially, if not, go through a lockout, which is the employer's mechanism, or a strike, which is the workers' mechanism under the legislation, in the public sector in certain areas we've taken that away and we've said, "No, we're going to replace it with a system of arbitration. But the goal of that system of arbitration is to actually replicate the outcome of free collective bargaining."

The criterion that has been set in the legislation for arbitrators is to look to the outside sector where free collective bargaining takes place and to replicate that outcome. That's the simplest way I can describe it. What you've done in your proposals for changes to arbitration for firefighters and for police and for essential services in the direct public service and for some references to arbitration in the teachers sector is set a whole group of new criteria that arbitrators must consider.

Essentially, if public sector employer bargainers come to the table and say, "This is our ability to pay. We've decided we're going to spend our money this way. We've decided we're going to," in a hospital, "purchase two new MRI machines or expand in this area or do this work. So we don't have any money to pay this year, we don't have any ability to pay," you've insisted that the arbitrator must consider that. What pressure is there for an employer to bargain in good faith in that circumstance?

The legislation that governs collective bargaining, particularly in this case in the public sector, whether it be under the Hospital Labour Disputes Arbitration Act or the Police Services Act or firefighters, whatever, tries to create a balance. You should understand this. I heard you argue—I disagree with your definition of it—but I heard you argue that what you were trying to do under Bill 7 was restore a balance. You should understand the concept of balance.

You have just skewed that balance so dramatically. To say to an arbitrator, "You must consider the employer's arguments of whatever they say is their ability to pay. You must consider service levels. You must consider the need for qualified employees," what you've done is you've just given a huge, huge gun to public sector employers for them to hold to the heads of their workforces, because going to arbitration is a whole lot more than a roulette wheel turn now.

The downside risk is incredible and the balance has been taken away. There is a real problem in what you've done. Essentially you are arguing what arbitrators many years ago said was absolutely incorrect and absolutely wrong for governments to do. You're suggesting that public sector workers should subsidize the cost of delivery of public services. That's what it comes down to.

There's another section in the bill where you're taking away from the employees as well. This one really amazed me. It took me a while to figure out what it meant, genuinely. It's a very tiny section, but I actually saw it the first day that you introduced the bill. That's the section dealing with public service pension plans.

I didn't understand what it meant. This is an interesting thing. I wonder how many people out there would. If you

don't have time to tell people, if you don't have time to get people to think about it and to come forward and tell you what they think about it, this could all just have been passed by today under the government's original timetable.

That section, in sort of innocuous language, says that under the current legislation governing pension plans, only for those people who work directly for the Ontario government—that's all it deals with, right? There are two pension plans there—it says that, like in all other legislation, the superintendent of the plan may at some point in time decide, exercising the fiduciary responsibility and the responsibility the superintendent has for the benefits of the plan members, to wind up a portion or all of the plan. That responsibility of the superintendent of the plan has been taken away from the superintendent and it has been replaced by cabinet.

1810

I read this and I kept saying, what does this mean? Like, why? Can someone help me here? It took a while to understand. In every other piece of legislation dealing with pensions in this province, plan members of the pension plan—and remember, it's their money, money they've contributed and it's deferred wages, the contributions of both the employers and the workers. Those are deferred wages. It's part of the compensation package. It's their money and it's in that plan, and the rules that govern the plan are to safeguard the benefits and the investments of the plan members, irrespective of who they are—the plan members.

If there is a wholesale restructuring in a particular industry workplace and a lot of people get moved out the door—downsizing it's often called, and we've seen a lot of it in the private sector and in the public sector—the superintendent of that pension plan may decide that a portion or all of that pension plan should be wound up.

Why? What does it mean? It protects the benefits of those workers who are going out in large numbers, and a part of the plan—part of their money—might be wound up and those benefits paid out in a certain way that is appropriate and that is to their benefit and to their long-term benefit in terms of being able to roll over to RRSPs or do other things with it to ensure their security of income in their retirement years.

That's a very common provision. There have been people who have tried to violate that and do things other than that. Some of you might remember a very, very well-publicized case at the time of Conrad Black and Dominion. I suggest you might want to go back and take a look at that, because what you've done is legalized for yourselves as an employer what is illegal for any other employer in this province to do.

You've said: "No, no, no. It doesn't matter what the superintendent of the plan thinks is the right thing to do in exercising fiduciary responsibility on behalf of the plan members. We're going to take it into cabinet to make that decision." And why? Because we know that you're going to restructure the Ontario public service, the direct employees of you as the government. We know that a number of those people are going to go out the door. You're going to downsize. You told us in the Common Sense Revolution and in the campaign. We know that.



What we didn't know and what you didn't tell the people of Ontario and what you didn't tell your own employees was that you were going to rip off their pension benefits. That language is not too strong. I'm not exaggerating. You said that group of employees, should they decide that they want to go to the plan superintendent—the plan superintendent has no ability now, it's taken away in law, to make the right decision—to exercise the fiduciary responsibility on behalf of the plan members and decide to wind up a portion or all of the plan and make sure that those people's money—their money, their wages, their deferred wages that have been put into that pension plan—to make sure that they get the benefit of that, you said no.

You're going to leave it to cabinet, which is going to decide not to do it. Why? Because it costs the employer more if the plan is wound up in part or whole. How can you just rewrite the rules for yourself as an employer, particularly on something like a pension plan? Those are people's income securities for the future.

This is a little tiny piece of the bill. It's not as dramatic as the health stuff. It doesn't affect as many people as the municipal taxes and all of the other things we've been talking about. How do we have an opportunity to raise public awareness about this issue, to be able to ask the public, "Do you think it's fair that the government treat its employees like that?"

We're all taxpayers paying into the government. Do we want the government of Ontario to become this kind of employer, that they would rip off the pension benefits from members they are laying off as they go through their downsizing and restructuring?

This is wrong. This is a wrong piece of legislation, but it's in the middle of this huge thing and it'll never get any attention. Isn't that why you did it? Isn't that why you put the bill together this way, so that many pieces of it wouldn't get any attention; so that you wouldn't have to answer tough questions on it; so that you wouldn't have to become accountable for those pieces; so that the changes could be made, passed into law like a blink of an eye and no one would know? It's very sad.

We've heard in the last couple of days one of the most important reasons for you not to make changes this way, and those are the kinds of mistakes that are in the act. I'm going to come to that in a moment.

There's one more policy piece that I want to touch on that's not getting a lot of air time, and that's the changes you're making to the Pay Equity Act. Why would that provoke a grin from you? You're happy about these changes? Boy oh boy.

A number of years ago I was a member of the Equal Pay Coalition and I spent a lot of time speaking to then-Tory cabinet ministers about the need for changes in the legislation, from legislation that talked about equal pay for equal work, for the same work, to legislation that talked about equal pay for work of equal value. I believe profoundly, from the perspective of trying to bring about equity in the workplace and economic equity for women in our society, that this legislation is a major, major, important contributor to economic equity for women.

You've decided, in the midst of a huge bill, with all sorts of big policy areas, to hide another little piece of legislation which is to do away with one method of determining pay equity, and that's a method called proxy. What does it mean?

Let me give you the most easy-to-understand example of why that kind of definition and method of implementing pay equity was necessary. If you're a child care worker and working in child care, for years and years that was a profession that was overwhelmingly done by women. Some men work in child care centres, and actually some more are coming into the field, but for years and years it was predominantly women. We also know it was just about one of the lowest-paid professions in the province. In fact, the old example that we used to talk about all the time was that in Metro the child care workers got paid less than the zookeepers at the Metropolitan Toronto Zoo. There was less value placed on taking care of our kids than there was on the people who were taking care of the animals at the Metro zoo.

We know the reasons for that historically. It's not any one person or any one government's fault or anything. There's a whole set of assumptions about the nature of women's work and streaming in terms of the careers that we went into and the education that we got, and we understand all that. But we were trying to do something proactive together in this province and in this country to correct that. Well, if you work in that day care centre, the concept of comparing yourself to a predominantly male job and having some fair and equitable evaluation done about the value of the work, that opportunity doesn't exist because there aren't any predominantly male jobs in the child care centres. It's as simple as that. There's really just one group of workers in the child care workers, and there they are: early childhood educators.

Proxy gave the opportunity, in Metro, for example, if the Metro zoo was a predominantly male occupation, for the Metro child care workers to be able to do that comparison, even though they were in different workplaces, to look for a proxy. Or a better way of explaining it is if, for example, you're in a child care centre outside of Metro, in the public sector, however, and Metro makes a comparison to a male job and a certain percentage adjustment is found, you could adopt that percentage adjustment—not the same wage rate. This wasn't about making universal wage rates across the public sector, but the same adjustment, because that was deemed to be fair.

You've taken that away, and who have you taken it away from? The lowest-paid women workers, because those are the ones who are in the all-female workplaces who had to rely on proxy, and you've just taken it away. Those are the child care workers; those are the people in nursing homes. That's where there aren't any male jobs to compare to and you have taken that away.

Who's going to know about it? Who's going to have a chance to talk about it? I remember being part of organizing huge demonstrations and lobbies out there, wanting to accomplish equal pay for work of equal value over the years. It's going to be gone with a stroke of a pen, with no opportunity for people to reflect on it, to discuss it, to try to convince you otherwise because,

boom, there it is; it's all there, and why? Because you want to save some money because you have to fund it as an employer.

1820

Those are three examples: the arbitration, the pay equity proxy and the public service pension plan, where you're taking money away from workers, just grabbing it away from workers and doing it by hiding it in a huge bill, in the sneaky way in which it was brought in, which has been commented on many times; and the way in which you're trying to pass it, with very short hearings, it really is an incredible statement, on behalf of the Conservative government, of your respect for working people, working men and women in the public sector, that you would feel this is okay and that it doesn't need any debate, doesn't need any public exposure.

Lastly, let me just talk about what was the subject of question period today and the concept of the poll tax, the head tax, what is a direct tax, the question that the Minister of Municipal Affairs and Housing had so much difficulty answering. If you take a look at the constitutional law of Canada, it's very clear what a direct tax is. It's very clear that it includes sales tax; it includes income tax. It's all there.

The question is, does the language of user fee or charges for service in any way limit the later language in the nature of a direct tax, or does it, in the nature of a direct tax, open up the methods by which you implement user fees and charges? Do any of you know the answer to that? I don't, and do you know what? I have called three directors of legal branches in ministries in the government of Ontario over the course of this afternoon. Not one of them could answer that question with any kind of satisfaction, not one of them, and neither can your minister.

This is the reason, and the many other examples that have been brought forward, why your approach on this legislation is wrong, why we shouldn't just be going to public hearings but this bill should be split and why I think you will be embarrassed at the end of the day when you see the effect of the legislation you have brought in.

**Mrs Margaret Marland (Mississauga South):** I know this is the time in which we comment on the previous speaker's comments, and I have a great deal of respect for the previous speaker's intellect and ability to express her opinions on any matter. I respect her individual right to her opinion on this bill and I know that in the democratic system that this House normally operates under, she also respects other people's democratic rights to their opinions.

Having said that, I think it would be perfectly obvious that from her party's philosophical background it wouldn't matter whether this bill was 24 bills instead of an omnibus bill or that we had six months' or 12 months' hearings. Her party would still be opposed to the intent of this bill, and I respect their right to represent that viewpoint.

The viewpoint I represent is the one that I was elected on, and in my opinion the intent of this bill actually puts in place the tools we need to represent the mandate we

were given to implement the mandate that we were given on June 8 of this year. I am sorry that the opposition parties are not happy with anything about this bill and that's been unfortunately demonstrated to an extreme last week. I'm sorry about that because I wouldn't want to repeat what happened last week in this House, but I support this bill.

**Mr Dwight Duncan (Windsor-Walkerville):** I wanted to take this opportunity to thank the member for Beaches-Woodbine for reminding us not only about the principles of democracy, because we too were elected—in your election you got 44% or 45% of the vote, hardly a commanding plurality—moreover, reminding us of obscure parts of the bill that we haven't had a chance to debate, parts of the bill which are none the less very important, pay equity being among them.

What we are always cognizant of and reminded of is what is becoming more apparent: The ministers themselves don't fully understand what is in the individual parts of the bill. We saw the spectacle today of the Minister of Municipal Affairs and Housing not understanding either what is in the bill, or the nature of direct versus indirect taxation, something that's fundamental in first-year law courses or first-year government courses.

We see the spectacle of a government that, granted, has a majority of seats in this House, one night saying, "No, no public hearings, and the Legislature till midnight," and their members standing up and staying up while my colleague the member for Scarborough North took a very courageous stand. Then, the next day their House leader says, "Okay, now we will have public hearings. Flip-flop, flip-flop, flip-flop. Where have I heard that before? Shame on all of you."

**Mrs Marion Boyd (London Centre):** I have to resist getting drawn aside into flip-flops. I want to comment on the member for Beaches-Woodbine's speech as well, because I think it's very important for people to have drawn to their attention the minute detail of this very large bill.

The members opposite are quite right: Our party would probably not agree that it is good policy—good employer policy, good government policy—to take away retroactively the pension funds built up on behalf of people whom we are going to lay off. No, we wouldn't agree with that. We don't agree that's right. I should say to the members opposite, that certainly was never one of your promises. That's buried in this bill. You didn't want anybody to know about it.

People knew that you would reduce the civil service. Indeed, under our government the civil service was reduced by over 5,000 people, but we did it in a way that respected the rights of those employees to the benefits and the pensions they had earned. It is disgraceful, absolutely disgraceful, that this government is prepared to take away from employees the benefits they have already earned at the same time that you're planning to lay them off. That's the kind of government we have, and every time we talk about the details of this bill, we show this government for what it is: a very mean-minded government.



Both opposition parties have told you there are many parts of this bill with which we could have agreed. Our leader stood here yesterday and detailed what schedules we would have found it possible to support, and they are a substantial amount of this bill because we believe restructuring is necessary too. But it is that kind of detail that the member for Beaches-Woodbine mentioned that is not acceptable.

**Mr John O'Toole (Durham East):** In response to the member for Beaches-Woodbine's statement, just one point caught my attention. It drew to my attention an experience with regard to arbitration in the essential service sector.

When I was a regional councillor prior to coming to this Legislature, I remember sitting in council and being unable to settle with a certain essential service group and it did go to arbitration. In the case of the arbitrator, the settlement was in the order of 35% and there was really no appeal process available. The arbitrator's very wording was basically "irrespective of the employer's ability to pay." That was the ruling the arbitrator sent back to the municipality.

**Interjection:** A disgrace.

**Mr O'Toole:** That was a disgrace, because really we had to pass that cost on. The arbitrator had to respect the person's ability to pay. This was important because I worked in personnel for a very large employer; that was my other duty at that time. In that case, the whole collective bargaining process I totally agree with.

It's a process by which the employer's ability to pay reflects the share of the equity or the share of profit. In the public sector it seems to be held that there's a bottomless pit of money, able to replenish this overly lucrative situation. In that respect the arbitrators now have to look at the employer's ability to pay. I think that's just responsible.

What I heard from my constituency, as a municipal politician, was to hold the line on taxes. After all, who's paying into the pension fund? It's the person who is the taxpayer. Really, that's what this legislation is trying to do in this particular case. I could go on to another part as well, but my time has expired.

1830

**Ms Lankin:** Let me pick up first in response to the member for Durham East. I'm not sure how extensive your experience was as a regional councillor in dealing with arbitration of essential services, but let me tell you, as a person who negotiated in that sector and who worked with teams to decide whether to go to arbitration or not, it wasn't a frivolous decision. There were a lot of things to consider. We were forced to the table to try to bargain and come to some kind of agreement, to avoid that option, because you never knew, in terms of the demands that were coming from the employer and the union, how an arbitrator would rule.

I suggest to you that if an arbitrator ruled a 35% increase, there could have been a lot of reasons. But it strikes me that the biggest one must have been that that group of employees, in relationship to either workers in other municipalities or jobs in the private sector, was

woefully underpaid. That's the only time I've ever seen an arbitrator give that kind of an award.

What you're saying is that that shouldn't be the end result, because, after all, you have to pass that on. Then you come back and prove my point; your position is that public sector workers should subsidize the cost of delivery of public sector services, and I disagree with that.

To the member for Mississauga South, let me say you couldn't be more wrong. There are parts of this act that I and my colleagues actually agree with. I don't think any of us have any problem with the public sector salary disclosure, for example, and many other parts of it, even portions of the health bills that are there. As a former Minister of Health, I recognize some of those changes could be helpful. It goes too far for me, but that's okay, that's my opinion.

What I've objected to is the fact that you have not allowed the time for debate, or to separate the bills in a way that they could be dealt with appropriately with the appropriate attention. What does a doctor coming before the hearings say? Does he talk about the hospital section, about the independent health facilities section, about the physician section or about the fact that changes are going to be to the Municipal Act and as a taxpayer he's going to be affected? You haven't allowed for effective public debate.

**The Acting Speaker (Mr Gilles E. Morin):** Further debate?

**Mr Sean G. Conway (Renfrew North):** I appreciate an opportunity to join the debate on Bill 26. I have listened with some considerable interest to colleagues on all sides of the House as they've addressed the bill, and I want to say how much I particularly enjoyed the comments of the previous Health ministers who spoke this afternoon.

I want to just say a couple of things about the nature of the bill. I don't want to prolong the debate on that score. We've had quite an extensive discussion. I'm sorry my friend Mrs Marland is—oh, she's still here.

I think it is fair to say that none of us particularly likes the temperature of the place. None of us particularly liked, I think, the temperature of the place last week when we had the altercation, whenever it was, last Wednesday or Thursday. But as a senior member of this assembly, let me say something I can say, I think, without much fear of contradiction.

There has never been a bill like this before, and the combination of this kind of bill, this smorgasbord of essentially unrelated and significant measures—that, together with the very tight rules we now have—I might add, as a former government House leader, thanks to improvements in the last number of years by all parties in government—the combination of this unprecedented bill and the very tight House rules is, I tell you, Mr Speaker, guaranteed to create an explosion.

When this is all over, I intend to put a resolution before the House to deal with the question of this kind of legislation. I say again, I have no quarrel with any government deciding to bring forward a series of sweep-

ing measures. That's what you win the right to do at an election. This government has advertised itself as a revolutionary new order, and that's quite within its democratic purview, it seems to me.

But let us think for a moment what was attempted here. I consider this almost a daring midnight raid. On November 29, the chancellor of the exchequer, Mr Eves, brings forward, I would submit, the most significant and I think the most controversial budget Ontario has seen in the postwar period and I suspect ever, and that again is as it probably should be in a revolutionary new age.

But the chancellor brings his budget forward on November 29, on the same day he submits a massive budget bill containing a sweeping array of very significant and very controversial measures, and the government leader in the House, who happens also to be the chancellor, says, "I want this bill passed on the nod, without public hearings, before Christmas of this year."

Let me just say, as a former government House leader, that's chutzpah. That's chutzpah with a capital C. Anyone—most especially you, sir, in the chair—who knows anything about the parliamentary nature and the political quality of this place would know that is an inherently toxic mix that is guaranteed to peel the rest of the paint off this ceiling. So we had an altercation, and I'm not surprised.

I say, through you, Mr Speaker, to the apparatchiks who advised the treasury bench about the advisability of this policy, let them take note: They almost pulled it off. They've embarrassed the chancellor, they've compromised the House, and I hope they have learned the lesson. None of those people is here today. Those of us here today, we bear the ultimate responsibility, but the authors of this spectacular midnight raid are not here.

I know at least one of them is over in treasury. He's a pretty fine fellow. He must be shocked that the cabinet bought this bill of goods. I can't believe he thought they'd buy the whole load, but they did, I'm sure to his surprise. It's not for the first time. I was last week going through some of Erskine May—and I want to agree with some of the previous speakers. There are elements of this bill that I like and I would support.

My question is to my friend the member for Mississauga South: What is a legislator to do when he is presented with this kind of smorgasbord? How do I cast a vote on those sections of this bill that I like and want to support—

**Mrs Marland:** We have recorded votes in Hansard.

**Mr Conway:** Well, I am presented with an omnibus bill that gathers together a huge array of, in many cases, unrelated measures. Now I suppose one could say, and the chancellor has said it, that in Her Majesty's name, for the peace, order and good government of the realm, these are all related issues.

Who's to argue with that? As Speaker Lamoureux said 25 years ago, "I suppose one could imagine ad absurdum a situation where you get one bill at the opening of Parliament that says 'In Her Majesty's name, we will legislate for the peace, order and prosperity of the realm.'" Everything falls under the ambit of this omnibus bill, and that's the end of it.

I simply say, we as legislators have a right to expect clear questions on which to pass a yea or a nay vote, and that basic principle of the British parliamentary tradition has been violated in this proposal, for reasons that I understand.

Let me say again, if you have ever been a minister, you understand the executive pressures that bring you to Bill 26. There is no doubt about that. No one who's ever been a cabinet minister would not simply quietly say, "Oh God, give me Bill 26. Wouldn't this make my life easier," and of course it would.

**Mrs Marland:** It was the same when we had omnibus bills from you.

1840

**Mr Conway:** I say to my friend from Mississauga South that while there have been omnibus bills before—

**Mr John R. Baird (Nepean):** They were Liberal.

**Mr Conway:** And I suspect there were Liberal omnibus bills. I can think of a number of bills. I think of the ones I mentioned the other day: the Consent to Treatment Act, the Advocacy Act and the Substitute Decisions Act. They were gathered together in a troika that I think everybody agreed to and were dealt with accordingly. There have been others that have been agreed to or made sense. There have been omnibus bills advanced by all of us in government, but I defy anyone in the House or elsewhere to show me the equivalent for Bill 26.

I simply say it is a problem. It's been a problem for some time. I was going to—

*Interjection.*

**Mr Conway:** I will. It's a bit of entertainment. Where did I put that Erskine May?

I was doing some work on the procedural question the other day and I noticed that Erskine May, in citing some of the precedents, reflected on a situation in the Mother of Parliaments 220 years ago, when the Lords and the Commons were having a fight about who had precedence over money bills.

I'm quoting now from page 473 of the 21st edition of Erskine May, which refers to a situation in 1772:

"The Lords having amended a money clause in the corn bill, Governor Pownall moved that the bill be rejected, which motion being seconded, the Speaker [of the Commons] said 'that he would do his part of the business, and toss the bill over the table.' The bill was rejected, and the Speaker, according to his promise, threw it over the table, 'several members on both sides of the question kicking it as they went out.'"

**Mr Baird:** Did you vote for or against the corn bill?

**Mr Conway:** Well, I felt the other day like kicking it on the way out.

I simply say to you, Mr Speaker, two things on the procedure again, through you to whoever authored this business, and to the table. They are implicated, in some ways compromised, because I know what kind of advice that technically you have to give, I suppose.

I'd like to think that a Speaker some day would take something like this and say, "This is an affront to Parlia-



ment, and I reject it as being out of order." I'd like to think some day in this place we'd have a Speaker who had the spine to say it. Not so much to offend the treasury bench, but to say to those minions who are so consumed with executive necessity and speed that Parliament too has its privileges. Members of Parliament were duly elected to scrutinize legislation and to be able to cast votes on clear questions, and this kind of a bill violates that fundamental of our system. I'd really like to think some day that some Speaker would say: "No. No. No. No."

Since it was not ruled out of order and since we've now got the kind of rules we have, we had trouble, and we will have trouble again if this government or any other government, for whatever great cause—and you see, that's always the appeal: "Ah, the cause is so good." I understand that the government is faced with some very real pressures.

There's never been a government, quite frankly, that has not faced real pressures, and I understand that this Parliament or this government, with so many new people and with that sense of revolutionary zeal, wants to get on with it. "The cause is just, the pressure's so real and so immediate. Let us not trifle with these endless parliamentary debates." Someone said it here a moment ago. "Would that opposition ever accommodate itself to much of this government's program?"

**Mrs Marland:** I said that.

**Mr Conway:** I think the member for Mississauga South said that. It is fair to say that oppositions, being oppositions, are not likely to applaud the every measure of the treasury bench or of government, but I say again to my friend from Mississauga, there are a number of provisions in Bill 26 that I want to support and that I would support. It would be a lot more easily done if we had some severance so that we could, for example, on the nod, pass the public disclosure, the sunshine provisions of whatever schedule that is.

Presumably the budget bills that were brought forward or the budget measures that are contained here that were advanced by the Rae government—I can't imagine my friends in the third party wouldn't, almost on the nod, want to now vote for that which they advanced 18 months ago. I think there are other measures here that members would probably want to support, but this kind of a measure makes that very difficult indeed.

I want to turn to the substance of some of these measures, although I should say parenthetically that I just had a call before coming in from a good friend of mine who's downtown in one of the big law firms. He's actually about the third lawyer friend of mine who has called in the last week.

They've all said the same thing. My friends would phone and say: "You'd never guess what we just had." We just got a call today. The call was from the chancellor's office, the Finance minister's office, offering the redoubtable member for Durham Centre, Mr Flaherty, on short notice to go to a breakfast meeting to explain the wonders of Bill 26. Last week I heard that no less a personage than the Minister of Health was down at another very distinguished law office in this city of ours

doing the same thing. These people are being offered up by the government in quite an impressive way, which makes me think, what is going on here? I think important work, undoubtedly, is going on.

Of course, the law firms are all engaged in their own analyses. My friend the member for Oriole just showed me a very thick analysis that's been done by a number of lawyers at one firm, and of course lawyers look at this, and what they don't find. Poor generalists like myself pore through the several hundreds of pages and we see things that do not present themselves quite as clearly as they do to our legal friends. I think in tomorrow's question period the member for Oriole might have something else to elucidate on the basis of her several researches.

But I think it is interesting that the government is offering up luminaries like the member for Durham Centre to go to—

**Mrs Marland:** What's wrong with that?

**Mr Conway:** Nothing is wrong with it. Nothing is wrong with it at all. I just find that the frequency with which it's happening this week and last suggests to me that the government is clearly a bit apprehensive about what it is these lawyers are finding as they pore through the several sections and, of course, the fine print.

I want to go now to the big print of the bill itself. There is, as I say, a sweeping series of measures here that touch on everything from letting the sun shine in to certain public sector salaries—and boy, give me that bill like now and I want to vote for that; I want to vote for that so fast I can hardly contain myself.

**Mr Baird:** The fishing licences.

**Mr Conway:** Well, the fishing licences, no, I can tell you that fishing—I guess there's something in here about fishing licences. I look at the Mining Act provisions. They're substantial, much more substantial than I suspect people have yet understood. The member for Beaches-Woodbine was talking about the whole arbitration question, the pay equity question, and I don't doubt that she's right in drawing our attention to a number of those concerns. For me, the big thunder is in health care and municipal reform.

I want to say to my friends on the government side that I think we all are now reconciled to the fact that we have to do things differently. The member for Beaches-Woodbine, who spoke a moment ago, indicated that she, as a former Minister of Health and now in the opposition, recognizes that clearly we cannot continue with some of the practices that had been developed in the good old days. It is fashionable in this chamber to talk about the bad old days since 1985. Well, I don't want to rethraash too much of the old straw, but the debate around Bill 26 makes me think of a couple of things that are of recent history that might bear some relevance, particularly to members of the government, in the coming weeks and months.

Firstly, I think about the powers this bill gives to the Minister of Health in the area of hospital restructuring. What an innocently antiseptic phrase that is: hospital restructuring. I don't know whether Larry Grossman and Frank Miller were consulted in the writing of Bill 26, but

if they weren't they ought to have been. I just look across at my friend the squire from Moose Creek, the Minister of Agriculture, Rural Affairs and whatever else is now part of his imperial mandate, and I ask him to think about what it is that rural Ontario faced 21 and 22 years ago, when a previous Conservative government, undoubtedly with good cause—we all knew Frank Miller to be a man of high integrity and good purpose.

1850

I will never forget the day Frank Miller sashayed out into southwestern Ontario. The member for Huron is here; the member from Grey isn't; the member for Wellington is. But I'll tell you, the recent political lore of southwestern Ontario is replete with anecdotal history from those ministerial progresses into Durham and Chesley and Clinton. I say to my friends opposite, do not for a moment mistake what powers are now vesting with Bill 26 in Frank Miller's successor, the member for Simcoe West. If you represent, particularly, small-town and rural Ontario, Bill 26 is going to be big news in your neighbourhood soon.

I remember reading some of the post-election analysis from the Durham region. The redoubtable member for Durham Centre was making some very, very firm commitments about what he would have to do if anyone tampered with that Whitby hospital. I think I even read something about resignation if anyone dared tamper. I hope that Mr Flaherty takes time out from his visits to the several downtown law firms to check the file, because there is no doubt that before the winter snows of 1996 melt away, there will be hospital closures in this province.

Those of us who cast a vote on Bill 26 had better understand what powers we are granting. I say that, because it takes me back to the bad old days and the 10 lost years. I was the fortunate soul who got to enact Bill Davis's famous and historic commitment to separate schools. I remember the joy of that experience vividly. I hear the Premier ranting on about the expenditures of public money—pardon?

**Mrs Marland:** Which Premier?

**Mr Conway:** Oh, Mr Harris, the Taxfighter. Again, I've been trying to behave myself around here. It's all I can do to contain myself as I listen to the revisionism. For the new intake, they are entirely excused. For those of us who were here between 1981 and 1985 and watched Mike Harris perform—you ought to have been here in those days in 1982 and 1983, when in that committee of which he was chair, the government of the day sent hundreds of millions of dollars' worth of tax bills down.

I mean, ready, aye, ready was young Mike Harris: "You want these tax bills tomorrow? I'll give them to you tomorrow. You want me to tax feminine hygiene products? Ready, aye, ready. I, Mike Harris, will tax it happily. You want me to tax prepared meals under \$4? I'll tax it joyfully. You want me to support the expenditure of \$600 million that we don't have to buy a quarter of an oil company we don't need? I, Mike Harris, am ready, aye, ready. My friend Ernie Eves is here to affirm my enthusiasm for these measures."

Then, of course—I don't want to rethrash—the 10 lost years? Give me a break. My first year here was 1975. Some of you have heard me say this before; let me say it again: I don't think I've ever seen a more impressive and more effective member of this Legislature than Darcy McKeough. Boy, I liked Darcy. I liked him then; I like him now. I went back one day not too long ago and I looked at the Ontario budget of that year in which I came, 1975. Incredible: a \$2-billion deficit on a \$12.5-billion expenditure plan. I'm not kidding. Can you believe that? Actually, it was about \$1.85 billion on an expenditure plan of something like \$12.5 billion. I couldn't believe it. These people now talk about the profligacy of a later day? In 1975, I say to my friend from Hastings, a nearly \$2-billion deficit on a \$12.5-billion expenditure plan.

Of course, it was around that time that the Minister of Health was dispatched, not just to rural Ontario, because that was the year Larry Grossman arrived. Frank Miller was going to close Doctors' Hospital, was he? Larry Grossman had another view, and Larry was up in that back corner, not for long. He strutted up and down here. "Frank, you can try and Darcy may have a big pile of red ink, but you're not closing Doctors' Hospital." And do you know what? Larry won. I saw something across my desk not too long ago about six months ago, having to do with Doctors' Hospital and I chuckled.

**Hon Noble Villeneuve (Minister of Agriculture, Food and Rural Affairs, minister responsible for francophone affairs):** Where is he now?

**Mr Conway:** Where's Grossman now? Well, he's on television happily defending the current government.

I want to come back though to that section of Bill 26 which gives enormous new powers to the Minister of Health, to do what? To close hospitals, to merge hospitals, to take over hospitals, in almost all cases without any oversight and without very much community input.

**Mrs Elinor Caplan (Oriole):** No process.

**Mr Conway:** No process, as the member for Oriole says, and more specifically, even when he allows hospitals to stay open, to tell the hospital in Owen Sound or in Goderich, or yes, I say to my friend from Moose Creek, the Glengarry hospital in Alexandria, to tell those hospitals what specific programs they might provide and what they must now cease to do.

It may very well be that is something the government wants to do. Obviously, they have decided that is what they want to do. I suspect that the government caucus in the macro sense has decided this is a good thing to do. But you know, as a famous American politician once observed, all politics is local, and I just want to say to my friends opposite that the day is coming, soon, when Jim Wilson and his agents will come like a grim reaper in the night to tell your friends at hospital X or hospital Y that it's over.

The interesting thing is that the apparatchiks and the minions who've devised this policy will not be the ones asked to come to the Alexandria arena or to the Port Credit library or to the hippodrome in Punkeydoodles Corners. Oh no, they're going to want the local member. They are going to want to have the member from Oxford,



the member from Wellington, the member from Huron, perhaps the member from Renfrew. They are going to want to see the white of the eyes of the local member.

If we were all struck today by the diffidence of the Minister of Municipal Affairs, as he struggled with the fine print and the big letters of those sections of this bill that deal with direct taxation, it will be as nothing compared to the local members in Oxford, in Wellington, in Renfrew, in Algoma, when the thousands gather for a reckoning about who's closing what.

Now, you might say, "Oh well, not to worry." I know times have changed and let me say, we must recognize that times have changed. We cannot continue to do business the way we have been doing it, not just in the last five years, not just in the last 10 years, but over much of the last 25 years. There is lots of blame, if that's what people want to assign. If I wanted to stand up and say to my friend the Minister of Labour, who was a very capable school trustee, if I really wanted to play the game that some people are playing, boy, I could take apart Bill Davis's school policy, particularly the 1984 school policy, piece by piece, starting with the "It'll only cost \$40 million."

Let me say, without being too critical, again, Mr Davis is someone for whom I have a very considerable regard. I suspect I have a much higher regard for Mr William G. Davis than a number of the current members of the government benches.

**Mrs Marland:** It was \$60 million.

**Mr Conway:** Oh, it was \$40 million. I've got the documents. Don't test me, Margaret, I tell you. Don't test me.

There was much, much more than just that. There was one element of that process when I look at the kind of legislation we've got here, and the irony about this is that these revolutionaries have come, saying—it was very powerful and very effective and I concede that. They won a marvellous election victory. It was one of the great populist crusades of the last 50 years. In fact, they're more like Mitch Hepburn than anything the Liberals have offered in the last generation or two.

It was essentially: "We are the people. We are going to give back to you, the people, the say, the power. We're going to shake off this huge yoke of taxation and we are going to cut down the size of the bureaucracy. We're going to make government less intrusive. We are going to lower taxes."

**1900**

That was the promise of the revolution, and now we have the performance and the language of Bill 26. One of the great and delicious ironies and paradoxes of this whole situation is that Bill 26 represents a massive accretion of bureaucratic power. It is quite spectacular. It is a very substantial development of regulatory and bureaucratic power at the centre.

Is that what they want in Oxford? Is that what they want in Lambton? Is that what they want in Durham? I think not.

I heard a great story. A friend of mine was in Woodstock the other day and he heard the local member, the

member for Oxford, who is a very fine fellow, my relatives in Oxford tell me, holding court in a restaurant on Main Street in Woodstock. My friend was listening. He said: "You know, it was quite a speech. It was as though the election were not over."

I'm sure in Salford, in Norwich and in Zorra Bay they would really like it. But you see, the words and the music do not match. The words of Bill 26—look at the section dealing with hospital restructuring. We are now giving to the Minister of Health and his agent, the commission, unprecedented powers to go into Bancroft, to go into Alexandria, to go into Peterborough, to go into Pembroke, to go into Metro and say: "I have decided what is good for this community. Here it is, without appeal, like it or lump it."

I say to myself, what does that remind me of? It reminds me of the sort of enthusiasms we saw in the early 1970s. Nobody, with the exception of the former Finance minister, who is recuperating, was here at the time. But I'll tell you, the Davis government in its first mandate was almost brought to its knees by virtue of a similar exercise in restructuring regional government, and the politicians were essentially left on the sideline.

Darcy and the boys at central planning had it all figured out; they had the plans. John White and Darcy McKeough and, to be fair, their minions had a plan. Oh, it was elaborate. And boy, those were the good days; there was lots of money.

You know, the member for Lambton at the time, and the member for Elgin, really good grass-roots politicians, started to scratch their heads and say, "You know, I just don't think this"—

*Interjection.*

**Mr Conway:** I say to the new member for Lambton, he's got big shoes to fill. Our friend Lorne led a backbench revolt that probably saved the government. Of course, these central planners and bureaucrats went across the country, and they had a plan, a better idea.

**The Acting Speaker:** Your time has expired. Questions or comments?

**Mrs Caplan:** My colleague the member from Renfrew puts the case extremely well. One of the points that should be noted and that he would want to know when he talks to those people in Renfrew, Oxford and all those communities across this province is that in a recent study, a poll, research done by the Ontario Hospital Association, 75% of the people in the province said they would rather forgo their tax cut than see the hospitals in their local communities negatively impacted by the policies of this government. This government, which is taking \$1.3 billion from those local community hospitals that serve the people across this province in order to pay for that tax cut, is making an enormous mistake.

We have heard some of the history eloquently put by the member from Renfrew, and there are lessons to be learned in that history. I say to the members opposite, listen well, because a backbench revolt is in order when 75% of your constituents say, "Do not cut my taxes if it's going to mean cuts and closings to my hospital." If they are worried about receiving the services they need and

value so highly, I suggest you listen to the words of the member from Renfrew, who has so well put some of the history of the past.

We know the importance of the back bench. I can tell you, having served in government, that many members of our caucus who did not agree with the policies put forward, before policies were finally decided they had their say and positively influenced events. There is an opportunity, a very significant opportunity, for those people who've been duly elected to this Legislature by their constituents, who came here to make a positive difference. You have the opportunity to influence your government. I say to the back bench, heed the member from Renfrew.

**Mr Michael A. Brown (Algoma-Manitoulin):** As always, I enjoy the member for Renfrew North's recounting of the history of this place and the important things that have gone on before us, because it places what we're doing today in some kind of perspective.

I think one of the most important elements of Mr Conway's speech dealt with the centralization of power that this bill provides for. In a very real way, it really does take community influence and community decision-making and vests it in the ministers of the crown.

Maybe you think that's a good idea, but those of us who've been around here for a little while understand what vesting it in a minister of the crown really means. Generally, that means vesting the power in the bureaucracy because ministers are very busy people: There are hundreds of issues; they have to deal with their own constituents; they have to go out and speak to fundraisers for the people on the back bench in the Tory party. They have to do all those things. Because of that, many decisions are made down the line somewhere. The minister maybe doesn't give every issue the kind of attention he really needs to give it. That's why we rely on communities in this province and that's why communities make better decisions than the bureaucracy.

Members over there said last night when I was listening: "We want to get rid of regulations. We want to make things easier." Then they came with a bill, less than two weeks ago, 211 pages long, and we don't have one regulation that accompanies this bill—not one regulation. When I was debating bills with the Minister of Natural Resources last year—we were both opposition members then—he was apoplectic, as was I, that on a government forestry bill there was not a regulation being presented. We wouldn't proceed, Hodgson wouldn't proceed, until the regulations were there.

**The Acting Speaker:** Further questions or comments? If not, the member for Renfrew North has two minutes.

**Mr Conway:** I simply want to say that the bill is very significant. It is unprecedented. There is no question that it touches on a number of very central questions, particularly in areas like health and municipal government, where reform, I think, is the order of the day.

I say again, there are a number of measures in Bill 26 that I'd like to support. I find it deeply offensive that we have the package as one big ball. That practice has got to stop around here or we're going to have more trouble, not more harmony.

There is, for me, no question that this bill is a Trojan Horse. It is full of fascinating measures that will only become obvious weeks and months from now. I suppose in a free and democratic society, if people want to take grenades to bed with them, who am I to stand in their way? As a partisan, I should encourage that, I suppose. There are grenades here, and I'm going to tell you, Francis Scott Key could probably write another anthem before this is going to be passed.

I repeat that in the areas of health care, these are measures that are going to very seriously affect communities in my part of eastern Ontario. I think a number of the measures in health care and in municipal restructuring are intended to reduce government spending while maintaining a good level of service. I'm not at all convinced, particularly in the area of municipal restructuring, that the measures being advanced are in fact going to do what we all want, which is to have more efficient and more effective government.

I'm quite prepared to give some measure of some of the benefit of the doubt to the government, but I say again we've had previous Conservative governments which have struck out with reform packages to make government more efficient and less costly but in fact we've had the reverse.

1910

**The Acting Speaker:** Further debate?

**Mr Frank Miclash (Kenora):** It gives me some pleasure to speak on Bill 26 this evening and to bring to the House a bit of a northern perspective in terms of what I am seeing and what I am hearing in the north about this bill.

First of all, I would just like to follow up on the comments that have been made earlier. I've been around this place since 1987 and I don't remember such a piece of legislation being brought into this House in the way this piece of legislation was presented. As has been indicated, a good number of the members were in a lockup, a lockup that was orchestrated by the government. A few of us hadn't gone over to the lockup yet. I was sitting here, and I watched as this piece of legislation was placed on the desk. A number of people got up to present a point of order; they were ruled out of order. And there we have it, Bill 26, a piece of legislation like I haven't seen before introduced in this House in a way I hadn't seen.

It's no wonder that we, as opposition members on this side of the House, would become upset with the process, and not only with the process but what we began to see in Bill 26, an economic statement we've never seen the likes of before.

We take a look at the powers this piece of legislation gives to the Minister of Health. I have to say, that is where most of the response has been from my communities, from communities throughout northwestern Ontario, where they are taking a close look at what this legislation will do.

I, as the former member of a hospital board, know how important it is to have local input into the running of the health care institutions within the communities, within the



district. I know how important it is to have people from other communities, whether they be first nation communities or smaller communities outside the local hospital's range. When I pick up this bill and take a look at the powers given to the Minister of Health to close hospitals, to amalgamate hospitals, without any input from local folk, local elected hospital officials—the Lake of the Woods District Hospital board is an elected board—I could not believe what I was reading.

Today in this House we saw something that was actually, to me, quite frightening. The Minister of Municipal Affairs and Housing is still here this evening; it's nice to see him here. But I must say that when the questions were put to him today, I expected answers from the minister who is responsible for a good portion of this bill and for a minister who would be given the powers to merge towns and cities without public consultation. That's going right to the grass roots. We always say that our town councils, our city councils, are those elected closest to the people. For the minister to be unable to answer questions about a very important portion of this bill and what it would do to our local communities, I cannot believe it. As I said earlier, I have never yet seen in this House where someone cannot answer those questions for us.

I go back to our northern communities. When you look around at the members in here you'll find that representation from the north is at a much smaller number than that from southern Ontario. As a member sitting since 1987, I've always encouraged people, whether they be members or ministers, to come up and see what we're all about. The Minister of Transportation was in northwestern Ontario. He had it scheduled at one point to take a drive from Vermilion Bay to Kenora, the worst stretch of the Trans-Canada Highway. I've been saying that for a good number of months in this House, trying to convince him. He cancelled that visit to Dryden, to Kenora. I was disappointed, the local mayors and reeves were disappointed. Just lack of knowledge—knowledge he didn't want to gain when he came into the north.

I talk about our smaller hospitals, our smaller communities. It'll be a surprise to a good number of people here that the two hospitals located closest to each other in my communities in the riding are approximately an hour or an hour and a half away from each other. It's not like going over here to University Avenue where you have them right next door. Members, ministers in particular, the cabinet, have to realize that there is a true uniqueness when it comes to hospitals and the care we give in the north.

Yesterday I was able to sit down with the Premier for a while and chat a little bit about different issues in the north. It was really quite interesting to find out that he was not aware that it's being touted out there that the hospitals should get involved in the community in terms of offering their services to the community.

I suggested to him that in a place like Kenora, what are you going to do about the local dry-cleaning unit down the street that has relied on doing their business? Now he's got to compete with the local Lake of the Woods District Hospital for the laundry that normally

came into his business. What do you say to the restaurants and the people who do the catering in communities such as Kenora, Sioux Lookout, Dryden, Red Lake, when all of a sudden they're told they have to get out and compete with the hospital? The hospital's been told that they'll be able to go out into the public and compete for that dollar. Actually, they're given the advantage of having public money, tax dollars—a publicly funded institution competing with the local entrepreneur. Those are areas I just could not believe I was hearing.

As we go further and further into the bill, we watch as different things fall out of the trees, as things fall out that we hadn't really expected. As we learn more and more about this piece of legislation, we get more and more worried.

Members in the House have got this to the situation now where we are going out to seek public input. The hearings that were being talked about before public hearings were agreed to were just not enough to satisfy the needs and the concerns over this piece of legislation. We are now looking at public hearings that will take it out on the road, public hearings in Toronto as well, but also time that will be given for people like directors of hospitals, different municipalities, councils, mayors and reeves, to allow them to take a closer look at what this will in essence do to them.

As well, it will allow senior citizens out there to find out what the bill means to them. We've heard from many corners of the province that this will affect every single person in the province. When they take a look at what this bill is going to mean to them in terms of additional drug costs, what it's going to take away from them and seniors within the province, I think we're going to get some feedback that will make this government take a closer look at what it's doing to the people of Ontario.

I indicated earlier that I was quite disappointed today with the Minister of Municipal Affairs' lack of knowledge of what was actually in the bill. It was embarrassing for me as a member. As I indicated, I've never seen such a performance in the House before. When he takes it upon himself to have the power to amalgamate or dissolve municipalities, municipalities that have locally elected officials, I just cannot believe it.

The Ontario freedom of information and privacy commissioner has come out with his comments about what he thinks this bill will do, the fears he has. Let me quote:

"The privacy of Ontarians is at risk and raises the possibility of troubling disclosures of personal medical information." Again, some areas we hadn't anticipated when this was thrown on to the table and not debated in a full and proper way. "I have real fears of the consequences that follow. The Minister of Health is given sweeping powers over medical information."

Again it's something that wasn't realized until the privacy watchdog came out and condemned this bill as being legislation that had to be looked at again. When it comes to the medical files of each person in Ontario being open to the Minister of Health, the bureaucracy, it's really scary and something that again has to be looked at very carefully.

When we take a look at the amendments to the Public Hospitals Act, something else included in the bill, I go back to the fact that we are not depending on the local elected officials to take a look at hospitals and have input about what they're going to do in terms of health care needs within the community. It's going to be directly put right into the hands of the minister.

There will be \$225 million in new user fees under the Ontario drug benefit program imposed upon seniors and others most in need, something that will have to be reviewed during the hearings. We'll have to take responses from people, Ontarians who are really going to be affected and are going to notice a difference in what it's going to cost them under the Ontario drug benefit plan.

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The power that is given to close down the public service pension plan and the Ontario Public Service Employees Union pension plan—my colleague spoke earlier about that. If that were done anywhere else, at Ford or GM, there would be an uprising like no one has ever seen. The government has taken it upon itself to give itself that particular power.

I go back to health care and the problems that officials associated with health care throughout the north see, problems I'm sure we will hear about as we go through the hearings on this bill.

There is an opportunity for the minister to come up with areas that he wishes doctors to practise in. As people in the House who have been around here for a few years will know, yes, there is a problem with getting health care professionals into underserved areas. But what the minister has to do is sit down with the Ontario Medical Association and make sure that young doctors who are coming out and looking for areas to practise in within the province aren't going to be coerced into an area.

I had a young doctor tell me two weeks ago that he came to Kenora because he wanted to. It happened that his wife was a teacher and she was able to get a job in that community. Nobody can convince me that if he had been told he had to go and practise in Kenora and take his family there, leave southern Ontario, from which he came, and develop a life there—I'm sure he would have not been there with the enthusiasm that he is presently in Kenora.

There have to be alternatives, rather than forcing people into positions and into areas where they're not going to be happy.

We're quite fortunate, in some parts of northwestern Ontario, where we do attract health care professionals, where the centre is a little larger and there are facilities for them to practise in. Our proximity to Winnipeg, speaking of Kenora in particular, allows them to have some freedom in practice and some colleagues around them. But that's not every community in northwestern Ontario.

I think of a place like Ear Falls; if you go to Ear Falls, you are the only show in town. Red Lake is half an hour down the road, and if you have an emergency it is your show. To order a doctor into a situation like that, into an area where he is not going to feel comfortable—I do think there has to be an alternative.

Yes, I agree there is a problem with health care professionals throughout northern Ontario. But I also think there might be a better way of getting those health care professionals into the area. We're going to have a good number of weeks now to maybe look for those alternatives, get some input from the young doctors such as I spoke to in Kenora a couple of weeks ago, get some input from the young doctors who are coming out and wanting to develop a career here in Ontario.

I take a look at some of the specialties offered in the hospitals at present, and some of these specialties are done by general practitioners. When the Minister of Health talks about having them pay their overall insurance premiums, I don't think he realizes what that's going to do to a general practitioner who is in Kenora and wishes to practise in other specialties and would have to gain his own insurance in that area. That's something the minister is going to have to take another look at. He's going to want to listen to the Ontario Medical Association and those people on the front line, those people who are practising medicine in northern Ontario in underserved areas because they want to be there.

When we take a look at the size of the cuts, the cuts to make it easier for doctors to practise around Ontario and particularly in northwestern Ontario, I have to say that the doctors are not agreeing with what the cut will do in terms of putting them into these areas of most need.

I'll go back to the comments the provincial freedom of information commissioner made. I think this is when it really showed the citizens of Ontario that yes, there was something wrong; the bells went off that there was something wrong with this legislation in what it would do in terms of their privacy. I say again that we have to take a close look and ensure—a point put forth today and shown in this House—that the ministers know what's in the bill, that we don't get conflicting views, the minister is saying one thing one day and saying another thing the next day, getting out to a press scrum and saying something totally different. We have to ensure that they know the direction we're heading in with this piece of legislation.

We need a northern perspective on what the bill will do in terms of services in the area I represent and that my northern colleagues represent, different aspects of this bill that the government tried to ram through but that will, as we know now, be out there for public hearings. I certainly will be encouraging those people affected by this legislation from across the north, whether they be in northwestern or northeastern Ontario, to make sure they take a very close look at the legislation, how it will affect them, in what areas, whether it be the amalgamation of their communities.

In the Kenora region alone, Kenora, Keewatin and Jaffray-Melick have been looking at amalgamation for the past 20 years, and the three municipalities have gone through many elections. I heard the Minister of Municipal Affairs say today that if the people of the municipality were unhappy, every three years they can boot them out. Minister, we've been doing this for 20 years now in terms of trying to come up with a proper plan for amalgamation. I've always believed it was the people closest, the municipal councillors, the reeves, the mayors, who



would come up with that plan that would show the best way to achieve amalgamation. It's not going to be the Minister of Municipal Affairs who decides for the people of the tri-municipal area what's going to be best for them. It's going to be the locally elected officials.

Health care—same thing. I see the minister's agreeing with me. However, when we take a closer look at the bill, he's being given that power to go in and just tell the folks of the tri-municipal area and the area around, with locally elected officials, what he thinks will be in their best interests.

Amalgamation is a word we hear throughout the educational communities as well. It's a very hard concept, to show the differences between boards that are situated some 100 to 200 kilometres apart from each other serving very small communities compared to boards sitting right next to each other in downtown Toronto, in Ottawa, where things are truly different.

Just the past couple of weeks we've been watching some fantastic weather reports out of the north. There's a difference in climatic conditions we face, especially in northwestern Ontario. A lot of people this evening will not know we're going to be hitting somewhere around 40 below in parts of my riding. These are things we have to consider when you start talking about amalgamation, about bringing services to one central location, whether it be health care, education, municipalities. There's a uniqueness that I hope this government, this Premier, this cabinet would take into account when they take a look at things such as Bill 26.

I hope I've been able to bring forth that uniqueness of the north to the members in the House here today. I truly hope the ministers will study the sections they're responsible for, whether it be the Minister of Municipal Affairs, the Minister of Health, the Premier himself, the Treasurer, study those aspects of this bill that they feel have to be brought forward and ensure that they are in the best interests of all people in Ontario.

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**The Acting Speaker:** Questions or comments?

**Mr Duncan:** It's always a great pleasure to listen to my colleague from Kenora, particularly as he speaks with such understanding and breadth of knowledge of the north, the northwest, unquestionably one of the most beautiful areas of our province, if not the coldest.

The people of the northwest recognize a bully when they see it. They recognize and value the opportunity to participate in public debate, and they know this government and they know this government's intention to stifle debate on significant matters, to not allow the people of the north or the south, the urban areas, the rural areas, French, English, the multicultural communities, to have any meaningful say in some of the most important statutes that govern us in this great province.

The people in the northwest that the member for Kenora represents are without question appalled by the heavy-handed tactics this government is using to force an agenda on them that they've had no say about, and the members opposite, try as they may, cannot conceal the fact that Bill 26, in its entirety, in the way it's been

presented, is an affront to the people of Kenora and the northwest.

**The Acting Speaker:** Further comments?

**M. Jean-Marc Lalonde (Prescott et Russell):** Merci, Monsieur le Président—

**Mr Miclash:** No, two minutes to make response.

**Mr Lalonde:** Oh, sorry.

**The Acting Speaker:** You have two minutes. Any further questions or comments?

**Mr Dominic Agostino (Hamilton East):** I want to commend, first of all, my colleague for his eloquent and great defence of the north. I think that we on all sides of the House understand the unique nature of north-northwestern Ontario and the unique needs that this region of our great province has, and very clearly I think what has been emphasized is that this government doesn't really understand the uniqueness of the north. This government believes very much that the way you fix a problem in southwestern Ontario or in eastern Ontario is the way you deal with a problem in northern Ontario, whether it's municipal boundaries, whether it's highway construction, whether it's highway safety and snow removal in the winter. Very clearly, what my colleague has brought forward to this House, again I think in a very eloquent manner, is the negative way that some of these changes in this bill are going to affect northern Ontario, the very unique way it's going to do it.

It's more of a question that I'll speak to later, but it's more of a question of process. There may be some good things in the legislation, in the bill, that will help northern Ontario rather than help eastern or western Ontario, but the question in front of us is the process that has been used, a process that very much is an affront to democracy, a process that very much says that the Legislature doesn't really matter, that this House doesn't really matter, a process that says that a few select cabinet ministers will have all that power, will have that ability, with basically a stroke of a pen, through an order in council, to make decisions that traditionally, in our parliamentary customs and traditions in this province, have been the role of this Legislature to debate and to talk about and to vote on. Those powers are being taken away as a result of the bully bill that is in front of us.

**The Acting Speaker:** The member for Kenora, you have two minutes.

**Mr Miclash:** I'd like to thank my colleagues from Windsor-Walkerville and Hamilton East for their comments. As the member for Windsor-Walkerville was suggesting, yes, we are from one of the most beautiful areas of the province, and as I travel the nation and to other continents around the world, I find it to be one of the most beautiful areas of the world. Even though it may be the coldest area of the world over the past few days, it really is.

But again I go back to the uniqueness and the uniqueness that I try to express to this House on a regular basis, whether it be asking a question to the Premier, making a statement, asking the ministers to drive what has been described as the death stretch of the Trans-Canada

Highway. I again express those uniquenesses and the things that we do face in the north.

The member for Hamilton East has put it very well where he says a good number of people, maybe not just people sitting around here in the Legislature but a good number of people in Ontario, have not explored the uniqueness that we face in the north and that many aspects of this bill, Bill 26, will have a tremendous effect on, as I indicated—the smaller communities, the municipalities, the boards, whether they be a hospital board or a board of education—will have an effect that we now won't be able to bring forth to the Legislature because of it.

I have to say it's some of the strongest tactics I've ever seen used in the Legislature since 1987, tactics that brought it to a point where we can now hear through hearings. I look forward to participating in those hearings, and I'm sure there are many people, not only in northern Ontario, northwestern Ontario but across Ontario who will bring forth views and present them to this government which will bring forth some positive amendments.

**The Acting Speaker:** Further debate?

**M. Lalonde :** Je voudrais vous dire ce soir jusqu'à quel point je suis désappointé avec le contenu du projet de loi 26.

This bill is going to give a lot of responsibility to those who enjoy power. Having power under such a bill could create a lot of problems. The power will give the authority to those who want to use the power to act without consultation. We've always said in the past that without consultation this would create a lot of problems and consultation would eliminate a lot of problems.

This bill will give powers without financial resources. We know the impact is going to be great in our small communities, the impact on the taxpayer, the impact on tenants, the impact on university students, colleges, the environment, and also the impact on the economy for a small municipality like ours in Prescott and Russell.

This bill gives the authority to upper-tier government to take over libraries, for instance, fire services, recreation. I wonder if the people from larger municipalities know that in small communities, volunteers are a great asset to all municipalities. Without the volunteer work that goes on in small municipalities, it wouldn't be possible to meet both ends.

I remember when I was a mayor of the town that at times we had to use all our firemen to look at major activities in our community. Fire protection in all of our counties, except two municipalities out of 19, is done by volunteer firemen. Those volunteer firemen meet at least once a week, and you can rest assured that we have right and proper protection in our communities. But if this whole thing is transferred to upper-tier government, you can rest assured that the volunteer work will be ending.

When we look at user fees, I'm looking, for example, at the small arena of St Isidore de Prescott, which has a population of 700 or 800 people. Without the transfer that we were getting from the government in the past, it won't be possible to continue operating this arena, because if we start to apply the user fees, it's impossible. The arena

will be sitting there idle. People just can't afford, really, to continue without having the grant that we used to get.

Today I heard the Minister of Municipal Affairs saying that this user fee and also special taxes could be applied to garbage collection. I could tell you, Mr Minister, that this is already in place in our municipality. We have that special tax already in place, and if we are giving the power to municipalities to have a tax for street lighting, to have a tax for hydro, to have a tax for recreation, it won't be possible. When we see what's going on at the present time with the content of this bill, I could say that the 30% reduction in personal income tax that we're looking for is only a transfer to a lower-tier government, where municipalities will have to incorporate taxes to be able to meet both ends.

**1940**

Also, this bill will give permission to MTO to transfer highways to municipalities. I just can't see how this could be done, because at the present time we don't have the financial resources to do the upkeep of the roads. We have Highway 17 east. It used to be called a killer strip; it is not any more. We have to congratulate the MTO people for maintaining the road as well as they are at the present time, but I wonder, after the passing of this bill, if we will continue having such a good service.

**Hospital closure:** This bill will give the power to the minister to close hospitals. We have one hospital in Prescott and Russell and we have a population of over 125,000. To go to the next hospital, we have to travel over probably 150 kilometres. The problem is, at the present time, this hospital is right down at the eastern boundaries of our province, right near the Quebec border, and this bill will permit the doctors, really, to be exempt to come to the Hawkesbury hospital. If that ever happens, I wonder what's going to happen to the eastern Ontario hospital, which is in Hawkesbury and which services Ste-Anne-de-Prescott, St-Eugène and Chute-à-Blondeau.

Last weekend I was very surprised to read in one of the local papers that user fees are not being applied in some of the pharmacies. There are big ads in the paper, "No User Fees." I wonder how the pharmacists are going to collect that \$2. This is the start. One person came to me, she said: "Here's my prescription. I used to pay \$19.81. Today I'm paying \$21 and a few cents for it." Was the \$2 incorporated in that fee? I don't know.

It seems to me that democracy doesn't exist any more. We have to consult the taxpayers. We know that we have agreed to have some public hearings, but I just want to make sure that without implementing any of those changes in Bill 26, we will consult the elected people, the doctors, everyone concerned about this bill.

I know it was an election promise that we would reduce the personal income tax by 30%. Five days prior to the election, I had an article in *Le Carillon Hawkesbury*. I said, "Thirty per cent, it's impossible. If you have a reduction of 30%, you will pay in another way," and this is just what's going to happen. There will be a user fee that will increase, really, the costs of all those who want to use the services within the municipality.

I really believe that if we wanted to stimulate the economy, we should have removed the taxes on construc-



tion material. That would stimulate the economy. It would give a chance to young couples to have their own home and also create jobs in not only Prescott and Russell but the rest of the province.

Mr Speaker, those are the comments that I have to bring forward, and I hope the ministers responsible for this bill will take into consideration the points that I brought to your attention today.

**The Deputy Speaker:** Comments or questions?

**Mr Rick Bartolucci (Sudbury):** I'd like to thank my colleague for his very, very wise words. I hope we were all listening to them very carefully, because what he was saying, simply put, was that we must invite the public to take part in our discussions, we must invite the public to take part in our decision-making.

Clearly, he outlines the many, many concerns, not only in Prescott and Russell but certainly in Windsor-Walkerville, certainly in Hamilton East and, as I look across the way, in all of your ridings. What the member is saying is clearly what we have been asking for, and that's to involve the people. It is an important part of this democracy. The process of democracy means involving the people.

You know, it's funny; as I campaigned against the Progressive Conservative candidate in my riding, he was all for involving the people. All the time, at every all-candidates meeting, he would say, "You have to be involved; we expect you to be involved." In fact, if he were to have been successful, would he have been sitting across the way, disagreeing now with the member?

I wonder how many of you, during the election process, were saying, "You must be involved"? Does involvement for Progressive Conservatives simply mean involvement when you go to the polls and vote? Or does it mean that it's ongoing dialogue, dialogue that involves serious discussion, a serious exchange of ideas and, together, trying to make Ontario prouder and stronger?

I thank the member for Prescott and Russell for his very excellent words.

**The Deputy Speaker:** The Chair recognizes the member for Hamilton East.

**Mr Agostino:** I want to add to my colleague's comments and to the fine words by the member for Prescott and Russell, who talks again, as has been mentioned, to the process of consultation.

Maybe it's a coincidence in this House, but when you look at the members who have spoken, particularly on the opposition side, as to the process for consultation, as to reaching out for the public, members who have been experienced and have been involved often at the municipal level of politics, which often is the grass roots of politics, they are the members who have spoken most eloquently to the need for consultation and to the need to ensure that we involve our public.

As we get further away from the local level of politics, we become further removed from the public, and the great temptation is to believe that everything we talk about in here reflects the real world, that everything we do in here reflects what's happening out there. I can tell you that within this building often it is not the real world.

Within this building often it doesn't reflect what is happening out there. I believe that it's important, regardless of what piece of legislation—this massive bill that we're talking about here today or other legislation we're going to be dealing with in years to come in this House—that we set a very clear precedent, which is that we cannot go forward with fundamental changes without consulting the public.

The public is not to be consulted only at election time. That's the easiest thing and that's what my colleague the Minister of Municipal Affairs and Housing mentioned today that every three years municipal councils and the electorate get to have their say. Mike Harris campaigned on the fact that he would hold referendums on tax increases. That to me talks about a fundamental, basic belief that the Conservatives should have, and that is, when you're going to make changes that are fundamental and that are going to increase taxes in one way or another in this province, then you go to the people.

There isn't going to be a bigger piece of legislation in the next four years that is going to put that kind of taxation on people's shoulders as this is. So stick to the words of what your Premier said. Go to the public with this and allow the process for it to occur as it should.

**M. Duncan :** Je veux dire premièrement merci au député de Prescott et Russell. Sa vision pour notre province et ses mots ce soir sont une inspiration pour moi et pour notre parti.

I'd like to take the opportunity, because the Minister of Labour has joined us. The minister, whom I respect and who has been so front and centre on so many issues, taught her ministers a lesson about how to jam legislation through.

We took Bill 7 and we didn't have meaningful public consultation. We didn't. We brought in 63 amendments, put them all on the backbenchers' desks, did exactly what the Canadian Federation of Independent Business wanted, of course, and jammed the bill through.

And what did we get? Well, we've got a huge backlog instantly created at the Ontario Labour Relations Board. We hear from people daily about the difficulties they're having, difficulties that weren't there. We have a flawed piece of legislation that the minister will have to open again, and we look forward to that. We look forward to the time when she has to open that bill.

**1950**

We've had little skirmishes—in London the other day—on one piece of legislation, the unnecessary response it provoked because of the way the government conducted itself. When the people of Ontario realize everything that's in this bill and how it touches in such a dramatic fashion every aspect of how we govern ourselves, it will make, I suggest, the other day in London seem like a tea party, because the government is laughing at the people of this province and working and attempting to invoke an agenda that no one has consulted on.

**Mr Lalonde:** Again, I just can't stress more that this bill will give the power to those, really, who enjoy having power, without the financial resources. Also, I want to make sure that the consultation will be in practice

after the passing of this bill. We know in small municipalities that without the participation of the government it's impossible to meet both ends. We know that we have to look after the amalgamation. We know that we have to reduce the number of municipalities within the province. But I really feel that at the present time consultation will play a major role in achieving our goals in amalgamation.

At the present time. We've been talking about it for years, but I don't think, with this bill, that we will see the consultation taking place. I think all of us have shown that the consultation is very, very important, and without going through the consultation, you can rest assured that even though the municipalities are saying, "We would like to have the control of our municipality without the interference of the government," this is not exactly what they meant.

I think the whole thing was misinterpreted by this government, and I rest assured that the people of Prescott and Russell and the rest of the province really hope that consultation will come.

**Mr Agostino:** I want to speak to what is really a key and fundamental debate that we're going to have in this Parliament on the direction of how this place is going to operate in the next four years, the direction of how we're going to pass legislation in this province in the next four years.

Let me say from the outset that obviously the members across the floor received a mandate on June 8, received a majority government, and the people, in our system, are always right. Whether we're happy with the results or not on any side of the House, the reality is that democracy works. It is the best system we have. It is a system that should be followed. It is a system that, with all its flaws, is the best system in the world and is the system that I would trade for no other.

This government received a mandate to govern and to put through its agenda. I want to talk, though, about the process that is being used both on the government side and on the opposition side with regard to the carrying out of this mandate.

I always believed that the right to govern is not a blank cheque and the right to govern doesn't give the governing majority absolute power and absolute right to do whatever it wants, whenever it wants, in any manner that it wants. There's a responsibility, and I think a special responsibility, on the government side of the House because you have a majority, because you have the numbers, because you have the muscle. That responsibility is to ensure that the voice of the opposition is heard and that the voice of people across Ontario that the opposition represents is always heard.

With all due respect, I believe that in the debate and what has happened with Bill 26 you have failed that test miserably. You have not allowed a process for the people of Ontario to be heard, until you were forced to. You have not allowed a process for the opposition to express its very legitimate concerns. Let's understand that although you received 82 seats, the majority of people who voted across this province voted for the two opposition parties combined in larger numbers than for the government of the day. Accepting, though, that under our

system you have the 82 seats and you govern, you have a responsibility to ensure that you govern in a fair and democratic manner. Bill 26, in my view, totally contradicts all of those principles.

The process could have been much better handled. If this government were serious about the legislation and wanted a full and open debate, then I would suggest that you could have split this bill into about 10 different pieces. You could have taken all of the fundamental changes to the Municipal Act and brought it in as one bill and gone out and talked to municipalities, gone out and talked to the people who are affected across this province, about the Municipal Act, about the head tax that this government wants to impose, about the user fees, about the unilateral powers that a minister will have if the local municipalities can't come to an agreement to realign the boundaries.

As a former municipal politician, I cannot think for the life of me why the minister would want that power, why the minister would want that power and that problem to sit here and, with the stroke of a pen, realign a municipality or a boundary that those local municipalities may not agree to. But, my friends, that power is there within the act.

You could have taken the hospital, the health care changes and you could have put them into a bill and you could have gone to the people across this province and to the hospital boards and to the doctors and to the users of the services, the nurses, and said, "What do you think of this bill?" and debated that one fully.

Every other section of the bill that was significant could have been broken down, but this government chose not to use that process because this government felt that its true agenda, its true imperialistic approach that it has taken to governing would be revealed as a result of breaking this bill down and going out, section by section, to the people across this province.

Let me talk about the process that the opposition used. It's a process that I stand by fully, because often when your backs are to the wall you have no choice but to fight back. The process the opposition used was the only process that was left to stop an oppressive, brutal government from trying to ram through unreasonable legislation without public consultation in a short period of time.

Often, drastic circumstances require drastic measures. This bill is very drastic. What this bill imposes is very drastic for the people of Ontario. As opposition members, I have a responsibility, as do my colleagues, my party and the NDP—a bigger responsibility, I'm going to suggest to you—to represent that voice of the opposition, to represent that voice of the minority out there that has a tough time getting heard, that voice of people who went out to vote on June 8 and whose vote did not result in a majority government but resulted in sending to the Legislature a member on the opposition side of the House. And that responsibility I take very seriously.

I also take very seriously the fact that this government attempted to take away from me and from every other member of the opposition that right to properly debate a piece of legislation that was fundamental to the way this province is going to operate in the years to come. So I



believe the actions that were used by the opposition were useful, I believe they were correct and I believe very clearly that those actions resulted in this bill going out to public debate.

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The late President Kennedy said that governments that do not allow peaceful dissension will invite revolution. This government has a tough time with any kind of dissension. This government has a tough time dealing with any kind of opposition.

This government in a short time has developed such arrogance. Arrogance that took Brian Mulroney and his federal friends nine years to develop, this government has done in less than nine months. This bill smacks of arrogance, of a government that says: "We don't care what anyone else thinks. We're going to ram these massive powers through the House by the time you go home for Christmas and it'll be business as usual come January 1."

That smack of arrogance. That smacks of a government that doesn't really care about the democratic process. If you cared about the democratic process, you would have allowed public hearings on this bill in a timely fashion, you would have broken up the bill properly, and you would have gone to the public to give people a fair opportunity to respond. But maybe you're afraid to do that. Maybe you're afraid because when the public really gets to understand, as they're starting to, what this bill is all about, what this bill contains, they're going to respond.

Tory voters, not only Liberal and NDP voters—I've talked to a lot of people who voted for your party, and obviously a lot of people across this province did last time—are concerned about this bill. They're concerned about giving any government, whether it's Conservative, Liberal or NDP, giving any government, any minister, the type of sweeping dictatorial powers this bill contains, because this system is bigger than the minister of the day, whether it's Health or Municipal Affairs.

What is talked about here is that this bill is a weapon future ministers will use. Why should anyone in government, of any party, at any time, have the right to impose such unilateral, sweeping changes upon the people of Ontario without coming to this Legislature for approval, without coming to this Legislature for debate?

I say again that the tactics used by the opposition parties are ones I am proud of. The tactics used by the opposition that day in my view were necessary. The phone calls to my office run 95% in favour of what we did in opposition that day to force the government to allow public hearings.

There are many reasons Bill 26 is flawed, and we've talked about them. It gives the Minister of Health unbelievable powers, powers to close and merge hospitals. How many members of the government side of the House would feel comfortable waking up one morning and finding out that your Minister of Health has closed the hospital in your riding? How many of us would accept that? I don't care whether you're in government or opposition. How many of us would accept that without

screaming and yelling and fighting like heck to make sure that doesn't happen? But it could happen to you. This is not only an opposition thing, folks, because you have many more ridings than we do and there are many more hospitals in your ridings than there are in ours.

I urge members on the government side of the House to speak to their cabinet ministers, to speak to their Minister of Health. Do you really want to give this minister or any Minister of Health the power to, with the stroke of a pen, without public consultation, without coming to the Legislature, close any hospital across the province? That is not a power I want to give any current or future Minister of Health of any political stripe.

The minister can terminate specific health care services provided by a hospital, pick and choose the services the minister feels that hospital should not offer and make a singlehanded, unilateral decision to terminate those services.

They can remove services from OHIP coverage without coming to this Legislature.

Now comes the most worrisome and one that needs clarification, because I can tell you it is the one that is going to cause the most damage to this government; that is, the power this government will have to inspect, copy and deal with people's medical records. That is a scary power this minister has. My friend across shakes his head, and the Minister of Health said no the other day. If that is not the case and if you don't want or need that power, why do you not simply withdraw that part of the bill? Withdraw that power from the minister, because it is scary.

People have a great, trusting relationship with their family doctor. Probably the closest, trusting relationship you have with anybody is with your family doctor, and there's an expectation of confidentiality, of trust, of care, involved in that. Some family doctors told me that they will go to jail before they allow any minister of any government to go in and access and photocopy medical records of their clients, and I applaud those doctors for taking that stand.

But that is worrisome, that is scary, and that is something this government, if they put it through this House, is going to live to regret. Most people across this province, I don't care which way they voted last time, do not want any minister of the crown to have the opportunity to go in, photocopy and look at their medical records. That is an absolute and total invasion of people's privacy, and the privacy commissioner has told us that. It is not simply the opposition saying that; it is the privacy commission, an independent body whose responsibility is to ensure that the privacy of citizens across this province is protected at all times.

Bill 26 also gives the Minister of Transportation, under the Highway Traffic Act, the power to ultimately take away a person's house or car for unpaid highway tolls. The amendment states that after a toll goes unpaid for 30 days, the government "may file a notice of lien and charge against the holder's real and personal property in respect of unpaid tolls, fees and interest."

This is one of those "Trust me" things again. "We're not going to do that," the Minister of Transportation said the other day. "We're not going to impose this lien on people because they haven't paid their tolls." If you're not going to do it, if it's unreasonable, why is it in the act? Simply do the right thing: Take it out. It will assure people across this province that you're not going to impose a lien on their property or their car because they have failed to pay a toll. It's a little drastic, as an understatement.

**Hon Al Palladini (Minister of Transportation):** It's general.

**Mr Agostino:** I know it's general. I know the minister said the other day that he doesn't really believe that's going to happen—

**Mr Duncan:** Al, at least we've read your bill. It's the least you could do.

**The Deputy Speaker:** The member for Windsor-Walkerville will come to order.

**Mr Agostino:** If the minister feels it's an unreasonable piece of legislation and one that will never be implemented, I would suggest with all due respect to my honourable friend across the floor that he withdraw that part of it and put our minds and the minds of people across this province at ease.

There's another reason this bill is flawed. There's only one taxpayer, Mike Harris kept telling us, the Taxfighter—Taxfighter 1 and Taxfighter 2 in this campaign, and Taxfighter 3 in four years. He kept telling us there's only one taxpayer, there's only one pocket it comes out of, whether it's federal or municipal or provincial.

In exchange for a 44% funding cut to cities and towns across this province, this government, through Bill 26, wants to completely open the door to unlimited user fees and taxes. Let me tell you, a user fee is a tax. It is a back-door attempt, back-door taxation. You don't have the guts to go to the people and say, "We're going to increase your taxes this way." No, what you say is: "We're going to put in a user fee. It's not really a tax, it's a user fee."

It's the same people you're going after, the same people you made the claim to that you weren't going to increase their provincial taxes. You're going to force municipalities to increase the taxes through user fees and through other means.

The head tax is the most regressive system you can think of. You can call it what you want, you can word it under niceties you have in the legislation. The minister kept telling us today, the few times he had at least part of an answer to a question, that he doesn't envision municipalities ever using this. Was this the deal? Was this a tradeoff? Is that what we cut with the municipalities? "We're going to cut your taxes by 44%. Don't scream too loud. But you know what? We're going to give you the ability to use a head tax."

Remember what happened to Margaret Thatcher and the Conservative government in Britain? She went down as a result of this head tax, a tax that your own minister says he doesn't envision municipalities using, but a tax

that none the less is still in there. Again I say to you, if you don't envision them using it, why are you giving municipalities the power and forcing them to the wall because of your massive cut?

How do you expect a municipality to survive with 44% less funding and not have to massively increase user fees? That 44% is a bigger cut than probably in the last 20 years across this province for municipalities. I and others around this place have served on municipal councils when we had a tough time dealing with a 0% or a 1% or 2% cut without having to really go to the wall and without forcing taxes to go up. Now it's 44%.

I say to this government again, if you don't believe these powers will be used or if you don't believe these powers should be used, then please do not give the powers. Simply remove this part of the bill.

2010

If this government is not happy with how a municipal government is functioning, Bill 26 gives you the authority to dissolve it or merge it with a neighbouring one. "Do as we say, and if you don't like it, tough luck. With a stroke of a pen, the Minister of Municipal Affairs will simply wipe you out. You're gone. You're out of here. It's that simple." This was the Tory way of dealing with municipal reform.

I want to talk about the portions of the bill that allow user fees, which I believe, next to health care, is the biggest betrayal, the biggest broken promise this government has imposed upon the people of Ontario in the short time it has governed. "Under this plan, there will be no new user fees": May 3, 1994, Common Sense Revolution, Premier Harris.

Someone can maybe explain to me or to the 75- or 80-year-old senior citizens in my riding who now have to pay \$2 every time they go to the drugstore to get a prescription drug, how that is not a user fee. "Under this plan, there will be no new user fees"—not my words, not the words of the opposition; the words of the government. This document you probably campaigned on, this document you staked everything on during the campaign, your bible, everything you stood for, and this also contained the biggest betrayals of this government.

"No new user fees." You have imposed user fees upon the people of Ontario, or copayments, as you like to call them, but let me remind you, as your Premier said during one of his opposition days and his days of glory there, when he said everything people wanted to hear simply to get himself elected, that a copayment and a user fee are the same thing. That is what your Premier said, not what the opposition said. We've established that, without a doubt, that you've broken that promise.

Not only have you done that, but you've now gone one step further. In this bill, you want to continue to increase and add to that user fee without coming back to the Legislature. At least now you've got to come back here and we're going to give you a fight over it, whether you like it or not.

Once this bill goes through—and it won't lose because you have a government, but you'll lose in four years—this minister now, or any future minister, can simply,



with a stroke of a pen, without coming to the Legislature, add any new user fee to health care that you want to. You promised you weren't going to do it, and you did it, you did it by \$2, and that was wrong. By putting that power in here, it is also wrong, because now there is no control. You can go to \$10, you can go to \$20, you can do whatever you like because Bill 26 will give the minister that power.

You have betrayed the seniors of Ontario. You have betrayed the needy in Ontario. You have betrayed disabled people in Ontario. I challenge any Tory members, when you go back to your riding, to talk to senior citizens, talk to disabled people, talk to needy people, and try to explain to them or weasel your way out of your commitment that there'll be no new user fees. Weasel your way out of that one, because people are much brighter than you think they are and people will remember that broken promise.

Health care, another sacred trust—Tories and the sacred trust of health care. During the election, before the election, after the election, it was, "We will not cut health care spending." Mike Harris, May 3, 1994: "There will be no cuts to health care funding by a Harris government. This is our first and most important commitment." It is your most important broken promise as well, because what you're doing is playing political games with the health care of people in this province.

You have now given us the excuse that the envelope will be the same at the end of your term as it was at the beginning of your term. You like to use \$17.4 billion as the figure, so you say there's \$17.4 billion in there now and there'll be \$17.4 billion there at the end of four years. What happens to the time in between? What happens to that \$1.2-billion, \$1.5-billion or \$2-billion cut that eventually will come in between? What happens to hospital services at that point? Is that not important? Is the health care of people in this province only important during election years? It doesn't matter what happens in between. You can sit there and smugly justify cutting \$1.5 billion out of health care, "But that's okay, because when we go back to you next time, we're going to put it back in in the last year."

It doesn't matter how many people have suffered, have paid the price, have had to wait for surgery, have had to wait for tests, have had their health negatively impacted as a result of your cuts. It doesn't really matter, because when you go back to the people, you're going to put the money back in. But the damage has been done, and the cynicism and the broken promises of this government simply continue.

Often, a lot of this comes down to trust, down to, can the public trust politicians to do what is right? Why do we have such an electorate, a public, that is so cynical and has no faith in the political process? Mike Harris ran on being a different kind of politician. Mike Harris and the Conservatives ran on being men and women of their word, that they were going to keep all of their commitments, that they weren't going to be government and business as usual, that they were going to protect all these essential factors across Ontario. They were going to protect health care, they weren't going to impose user

fees, they weren't going to cut the disabled and seniors across Ontario. They weren't going to do any of that.

Remember education? "Classroom funding for education will be guaranteed." That was before the \$400-million cut. Now this government is getting cute again. "We're not really cutting classroom education. We're just cutting the funding for the classroom education. We'll let the school board make the decision to cut that education. We're simply going to give them less money to do their job and they're going to be the bad guys." That is the approach of this government.

Policing: "Funding for law enforcement and justice will be guaranteed... Any savings we find...through greater efficiencies will be reinvested to ensure public safety in our streets and in our homes"—Common Sense Revolution, May 3, 1994.

How is this government going to guarantee safety? How is this government going to guarantee that law enforcement is not cut when you have cut municipal funding by 44%? Where do you think municipalities get their money from to fund and pay for police officers? There are only two sources, generally: provincial transfer payments and municipal taxes.

You have cut their transfer payments by 44%. Most municipalities realize that people have hit the tax wall and can't have their taxes increased. So policing will suffer, safety will suffer: another broken promise by this government, another commitment you made, that you were not going to impact policing, and you're going back that promise, as you've broken many other promises.

This government's track record when it comes to broken promises is one that even the last 10 years of governing combined have not achieved. You have broken more promises in four months than the previous two governments have in the past 10 years. And they're not small promises, promises of an insignificant nature; they're promises that were key to your election campaign and promises that were key to everything you stood for as a government.

This bully bill that you're trying to put through the House, that you're trying to ram down the throats of the people of Ontario, that you're not going to get away with, this bill is going to give your government, your ministers, the type of power that is unheard of in most other jurisdictions across this province, the type of powers that very few, if any, elected officials in a western democracy have. Some of the changes and powers you give yourself in this bill surpass that. They are the kinds of powers that Third World tinpot dictators like; there are lots of those in Central and South America who love this kind of power.

This is the power that your Republican friends in the United States would love to have. This is the power that your friends in Washington have advised you that you can grab. The same Republicans who advised you how to run your campaign, the same Republicans who are advising you on how to run your government, the Newt Gingriches and the Jesse Helmses of this world, would be 100% on board with you on what you've got in front of us today. But the people of Ontario are not on board with

what you're doing here, the people of Ontario are not in agreement with what you're doing here.

I say particularly to the government members who don't have access to the cabinet, who may have not read all of this, remove yourselves from the partisanship of the House, go back to your riding, your constituency office, go one-on-one with your constituents in your office and explain to that constituent in your office why you think it is acceptable for the Minister of Health to have the power to shut down one of the hospitals in your riding. Look that constituent in the eye, who voted for you, and explain to that individual why you think it is acceptable.

2020

If that is the case and if you feel in your conscience that you can explain that and that the constituents you represent believe the Minister of Health should have the power to unilaterally, without consultation, without coming to this House, close a hospital in your riding, then support this bill, by all means. If you really believe that, support this bill.

If you believe, as you're sitting across from your constituent, that the Minister of Health should have the power to impose new user fees on senior citizens any time they want, to whatever level they want, if you can look that senior citizen in the eye and say, "Yes, I believe the Minister of Health should be able to impose any new user fees that he wants on your prescription drugs," then go ahead and support this bill.

If you can do that in good conscience and if you believe those are the kinds of powers a government should have, then I suggest you support the bill. But if you believe there's a fairness in a democratic system and that even a majority government does not have absolute power, I ask you, as government members, to talk to your ministers, to stand up for your constituents.

It is very difficult on the government side of the House—I understand that—because party discipline kicks in and the party whips are all over you in a second if you dare dissent from what your government is saying. But how many of you ran during the campaign and said to your constituents, "I'm going to blindly agree with everything the government says"? I don't think too many of us did that. I don't think too many of us run and say to people, "If I'm part of the government, I'm going to sit there and, every single time, vote in favour and agree to everything this government is going to do."

You have a special responsibility—we all do—to represent our constituents, and the interests of the people who sent us here are greater than the interests of our party. The real world, my friends, is not in here. It is not within this building. It is not within the Queen's Park loop. The real world is far from there. The real world is the shop floors across this province. The real world is the doughnut shops, the hockey arenas, the parks, the recreation centres, the steel mills in my riding, the factories in my riding of Hamilton East. That is the real world.

Take this out there and ask those people if they believe you should have the powers in this bill. Ask the people in your riding, not simply the Tory loyalist but the average voter, who in most cases doesn't carry a party membership in any of the three political parties. Put it to

that test. Spend some time this weekend and over the break knocking on doors in your riding, taking this bill out to those people and asking those individuals if they believe you should have that power. I think you'll get a different answer from the briefing notes you're getting, from the strings that are being pulled from the Premier's office.

Yes, Premier Harris and a few top flunkies will love this bill, because they can do anything they want without coming to the Legislature. But I can tell you, as elected officials, it would be an embarrassment and a disgrace to the House if we allowed this bill to go through unchallenged. It would be a major blow to democracy in this province.

**Mr Michael Gravelle (Port Arthur):** I'm very pleased to stand and support the remarks made by my colleague from Hamilton East, and wise comments they were. I think he did an excellent job of basically going through a number of the elements that are frightening the people of Ontario in terms of this huge bill.

Ultimately, what they came down to was the whole question of democracy and process, a fairness that allows people to discuss things in the atmosphere that is supposed to be here in the Legislature and that we've been essentially denied; the need in a democracy to openly discuss changes a government wishes to make, a government that was duly elected. We've simply asked them for the opportunity to have these known to the people in the province.

They are frightening changes. When we look at the health services restructuring act, at the changes to the Municipal Act, which even the minister today clearly didn't understand himself and hasn't read, these are things that worry the people of this province.

Earlier today I had the opportunity to sit with my colleague from Hamilton East on the standing committee on social development. We were meeting with some agencies which are very concerned about the impact of the Conservative government funding cuts on children and children's services. We met with the Ontario Association of Children's Mental Health Centres, the Federation of Women Teachers' Associations of Ontario and the Social Planning Council of Metropolitan Toronto, and they were all telling us the same thing. They're all very concerned about the direction this government is taking. They're very concerned about this government's lack of vision, an inability to understand that it isn't a question of simply taking over the power, it isn't a question of simply deciding how you're going to do things; it's a question of dealing with the large issues of what really will be the best for this province.

It's clear that the people we met with this afternoon were grateful to have the opportunity to meet with an all-party committee. They asked us to look at this issue again but also asked us to come back here and try and impress upon the government the need for them to recognize that they simply haven't followed due process, there hasn't been a fairness. Indeed we can't operate under a sense of dictatorship. It's got to be a democracy where the discussions are full and complete, and we want to be part of that.



**Mr Chris Stockwell (Etobicoke West):** I want to comment on the member for Hamilton East's remarks about Bill 26.

A lot of interesting arguments may be made about this bill. A lot of give and take could be had by all members of this Legislature. I'm not really sure that comparing a government to tinpot dictators is what I consider to be healthy and vigorous debate.

I'm also fairly certain that the labour leaders yesterday who met in London are certainly not proud of suggesting this government is, in some form, the Third Reich or Nazi regime that they've compared us to in the past. It's insulting to those people who have lived through those kinds of crises in their life to have union officials of this province, who are supposed to be responsible elected people, comparing what I consider to be very democratically elected, responsible sorts coming to this Legislature and attempting to pass legislation, albeit it with confrontation with the opposition.

To make that kind of analogy and comparison is both unfair and imprudent on their part, and imprudent for the member for Hamilton East, because I know there are tinpot dictators in this world and some bad tinpot dictators. I take great exception to the analogy you draw. This crowd of people has been elected and I think are responsible, effective leaders of their communities, and the last thing they deserve to be called is tinpot dictators, my friend.

If you want to have a good, healthy and vigorous debate, debate it. Debate the bill. Let's talk about the functions. Give me some responses that you consider acceptable. But the last thing that I'm going to stand here and be called is a tinpot dictator by the member for Hamilton East. My suggestion to you is, review previous governments, including your own, and I think you'll find governments that bear far more of a striking resemblance to what you called us than this administration that sits here now.

**Mr Duncan:** I want to thank my colleague from Hamilton East. He is a member of great passion who speaks strongly on the issues of the day. He quoted, early in his comments, John Kennedy. I was reminded of another statement Kennedy made: "He who comes to power riding the back of a tiger often winds up inside."

I've heard the members opposite say, "The people of Ontario voted for us." In Windsor, I'm fortunate because there's not a Tory within 50 miles. We rejected you. We reject you. The people in my community don't trust you with health care, the people in my community don't trust you with their children's education, the people in my community don't trust you with their economy and they certainly don't trust you on Bill 26.

You would be well advised to take your concerns and your bill and go and speak to your constituents. Go into York-Mackenzie. The member for York-Mackenzie left Essex county; he was chased out of Essex county. He ran as a Tory there, but went to York-Mackenzie.

2030

**Mr Frank Klees (York-Mackenzie):** On a point of privilege, Mr Speaker: I would really expect that the member would withdraw that statement. I consider it a

personal insult. I consider it an insult to my character and my reputation.

**Mr Duncan:** I withdraw. He was simply defeated soundly.

What I'd like to say is, you should listen to your own constituents. Let them have a say. Don't just try to stifle debate. Don't just try to take terms out of context. Speak about it. Speak to your own constituents. Hear what they have to say.

**The Deputy Speaker:** The Chair recognizes the member for London Centre.

**Mrs Boyd:** I'd like to comment briefly on the interjection by the member for Etobicoke West.

**Mrs Marland:** Point of order, Mr Speaker.

**Mrs Boyd:** In his response—

**The Deputy Speaker:** Excuse me. Your point of order?

**Mrs Marland:** My point of order, Mr Speaker, is—

**Mr Len Wood (Cochrane North):** Come on, Margaret. Stop using her time.

**Mrs Marland:** —I know that the former member of the New Democratic government cabinet knows you are not to respond to the former person who is responding, it's to the person making the original speech.

**Mr Len Wood:** Sit down. She just said that she was going to respond to the member for Hamilton.

**Mrs Marland:** Don't be so upset, Len.

**The Deputy Speaker:** Your point of order is well taken. The Chair recognizes the member for London Centre. The member for Cochrane North has been warned.

**Mrs Boyd:** Mr Speaker, I was not allowed to finish my comment. I was talking about the interchange between the member who had spoken and the comments of the person on what the member had said. What the member for Etobicoke West interpreted the member for Hamilton East as saying, and then went on with his comments, I think was not entirely correct.

Many members of this assembly have talked about the slow erosion of democratic values and what we fear in terms of what we're seeing, and that comes out of our knowledge and, frankly, that of labour leaders who spoke in London yesterday have, of how easy it is for democratic values to be eroded in a society and for that to be forgotten as we go along. It is quite correct for the member for Hamilton East to point out that the kind of erosion of our democratic processes that has been going on here in this Legislature is very reminiscent of what has happened in other parts of the world in other times, and we need to learn from the past.

**Mr Agostino:** Simply to wrap up, I believe very much that as individual members we have a responsibility to represent our constituents. We have a responsibility to speak out on behalf of the people who have sent us here, not simply to be flunkies of a Premier, cabinet or the whiz kids in the back rooms who are calling the shots. I can tell you, the people of Hamilton East don't take any bull, and the people of Hamilton East don't like to be snowed over by this government.

**Mr Stockwell:** The problem is, your whiz kids weren't that whizzy.

**The Deputy Speaker:** Order.

**Mr Agostino:** Let me tell you that what this government is doing is a disgrace and an affront to democracy. My friend takes offence to the fact that I refer to the government as tinpot dictators, but I can tell you that your tactics very much mirror the tactics of many Third World and Central American dictators who simply want to ram down people's throats. In the democratic system that we live in, there is debate and discussion. In our system, you don't ram bills of such significance through the House in two weeks. In our system, you allow proper debate, you allow discussion and you allow public consultation.

If this government believes that it is right with Bill 26, what are you afraid of? Why were you so afraid of going to the public with this? Why were you so afraid of breaking up the bill and dealing with it section by section and allowing proper debate?

Let me tell you: Because you cannot defend this. You cannot defend this power grab. You cannot defend this simple, imperialistic approach that you're taking to government, where a few ministers have all the powers in one hand.

I can tell you that it's not going to work and we're going to fight this bill tooth and nail and make sure your government doesn't get away with it.

**The Deputy Speaker:** Further debate?

**Mr Bartolucci:** Before I start into my presentation, I'd like to just refer back to a comment that was made by the member for Chatham-Kent when he talked about the effect of what happened last week and what his children were saying, because I think it's something that is worth addressing at the beginning of the presentation when we discuss this bill.

Why did it happen? Who was to blame? Well, I'd like to think that we can base this on a scientific principle, the principle being that for every action, there is a reaction, and the reaction is equal in proportion to that of the action.

The results of last week were the cause of the government's inability or its desire not to listen to the people of Ontario. It's very easy to say, "We received the mandate on June 8 and now we're implementing the mandate." Not all of what you've said over the course of the last few months, from September to now, was in the Common Sense Revolution. In fact, there have been additions to the Common Sense Revolution, and that's fine and I understand that and I can appreciate that, because you are the government.

But I think it imperative that you, when you bring in these new ideas, must listen carefully to what the opposition is saying, for in fact what the opposition does is round out democracy. What it does is round out the process by which we've been elected to govern. Failing to do that leads to anarchy, leads to a form of dictatorship and leads to what none of us in this assembly want.

The result manifests itself in many different ways. Last week it manifested itself in a way that, although unusual,

was right, was fitting and was proper, given the occasions which forced the opposition to do what it did.

Could it have been avoided? Quite simply, the answer is yes. How could it have been avoided? Ever since September, this government has refused to listen, this government has refused to answer questions, this government has refused to respond to the requests of those people in Ontario who have demanded reasons, who have demanded answers, who have demanded an interpretation of the Conservative process of governing. It isn't too much to ask. So what happened last week was not the fault of the opposition, quite clearly and quite simply.

Can it be avoided? Yes, it must be avoided in the future. And how can it be avoided? It can be avoided by simply doing and fulfilling the mandate that was given to this government on June 8, and your mandate was to listen to the people of Ontario, to be a part of the process that will listen to Ontarians.

You say it in the Common Sense Revolution. You must believe it, for every time a cabinet minister quotes from it, you're all clapping. You must believe what's in the Revolution. If you believe it, you must live it.

*Interjection.*

**The Deputy Speaker:** The member for Kingston and The Islands will come to order.

**Mr Bartolucci:** Might I tell you, since we're quoting leaders, Ghandi, a man of peace, said, "Desperate times require desperate actions." In fact, with this bill, we find ourselves in desperate times.

Might I tell you, this could have all been avoided had the process of government been correct. The process was flawed on November 29, when this government tried in fact to sneak this legislation in while both opposition parties were confined to a lockup. The answers to that lockup have not been answered by the Speaker, nor will they ever be answered, for they've been masked in much confusion. I would suggest to you that the greatest single cause of last week was the denial of democracy to take place on November 29, the opposition parties being present when this bill was introduced.

2040

"What do you tell your children?" the member asked earlier on. Well, you tell your children, "We must follow order, there must be decorum, but we must always stand up for what we believe, and we must always stand up for what we believe in a peaceful and in a proper and in a fitting way." In fact, that's exactly what was done last week.

Might I suggest that your reactions are strange and varied. I'm going to quote over the next little while from a fax that was sent out from the Nickel Belt Progressive Conservative Association. I guess it's a fax that went out to anybody who would read it. The fax was faxed to me this morning, and I found it very interesting, because I have a lot of respect for government, I have a lot of respect for democracy and I have a lot of respect for the people who sit in the third party and also on the government side of the House.

But this is what happens: Everything becomes skewed when we decide that we are going to only believe in the



Revolution. What's happening here is that we are getting a very, very sad and strange form of support, for I am more concerned with what is not in this fax than what is in the fax. Let me quote for the next little while. It says:

"On November 29, Finance Minister Ernie Eves introduced the Savings and Restructuring Act, 1995, (Bill 26)." It doesn't say it introduced it when both opposition parties were confined to a lockup.

"The purpose of the bill is to implement the changes required by the minister's economic statement." It's wrong. There are many, many, many amendments in this act that have no—no—impact on the economic statement, that have no bearing on the economic statement and that are in fact not a part of the economic statement.

It says further, "It is traditional for Finance ministers to wrap all fiscal statements or budget initiatives into a single bill." It's wrong. Very, very, very few budget statements have included a bill which includes 47 statutes and affects 10 ministries in the Ontario government. It's just not so.

It says, "As the name suggests, all components of the bill share a common theme: achieving savings and public sector restructuring." Again, that's not true, and it's very, very important that when parties send out information, the information be accurate.

Let's deal with the amendments to the Natural Resources ministry, the Forest Fires Prevention Act.

"It reduces the restrictions placed on starting fires and on travelling in restricted travel zones." What in fact does that have to do with achieving savings?

"It reduces the restrictions placed on operations—logging, mining, construction, mill operations—in or near a forest." What does that have to do with achieving savings?

"The current legislation restricts that requirement for obtaining fire permits, forest travel permits and work permits, and these are removed from the act and left to the discretion of the regulations." What does that have to do with achieving savings?

"It allows the establishment of a separate account for all revenues—fines, fishing and hunting licences, royalties—to be collected under the act." What does that have to do with restructuring?

Let's look at the amendments to the Mining Act. I'm very, very concerned, because I, from northern Ontario, must be concerned about what's going to happen to the environment with these changes to the Mining Act.

"It replaces the current mine closure plan review process with a self-regulating system." That's all right if you're dealing with a company like Inco or if you're dealing with a company like Falconbridge. They're good corporate citizens; they're good corporate neighbours; they're good corporate community groups, individuals, people. But what about the wackos that are out there? The member for Hastings-Peterborough can attest. He has one in his riding where he's still trying to clean up the mess because of someone who did not care for the environment. Those are the types of concerns that I have with regard to amendments to the Mining Act.

It increases the financial assurance options available to mining companies. It exempts certain claim holders from

being required to file a closure plan for the rehabilitation of a mine hazard or from being held responsible for the existence of a mine hazard created by themselves or by others. There is no protection for the people who live in the community if we remove these exemptions from the Mining Act. That requires public debate.

Let me further quote from the Progressive Conservative Update. It suggests, "The act gives municipalities the tools to restructure, eliminate duplication, increase efficiency and reduce costs." What it doesn't say is that it allows for a head tax. It allows for increased user fees. It allows for unilateral powers by the minister which will affect, in a very, very direct and significant way, the amount of money people pay in taxes, in user fees. It is not a restructuring with savings in mind; it is a restructuring with downloading in mind.

I hear across the way, and I hear it on this side, and I've said it and I'll continue to say it, because we all believe it: There is only one taxpayer. In fact, if that's the truth, then don't you believe that taxpayer has a right, has an obligation but, more profoundly, has the opportunity to become a part of what he or she will ultimately be paying for?

The result of last week forced this government to spend time talking to the people of Ontario. It forced this government to spend time involving people in the process. It forced this government to move around the province in order to meet with the constituents of Ontario, the people who elected them to form the government. None of this should have been forced; all of this should have been done by this government very, very willingly and very, very capably through a very, very planned approach: advertisements, involving the people, listening to the people of Ontario, coming back and passing the legislation.

Ultimately and finally, you're going to pass the legislation, with or without the amendments that you're going to be asked to place into this bill as we travel about the province. It's too bad, and I feel sorry, not only for the people of Ontario, but for a government that wasn't astute enough to know that the process which it was forced into was in fact the process it should have taken as a government and said: "This is the way we, as a new form of government, want to do business. We want to involve people; we do not want to exclude people."

Quoting further from the Nickel Belt PC Update: "The act provides for new mechanisms to facilitate hospital restructuring." What it doesn't say is that it gives the minister incredible powers: the power to reduce, suspend, withhold or terminate funding to a hospital if the minister considers it to be in the public interest to do so. It gives the power to a minister to be able to appoint inspectors with broad, sweeping powers to include interviewing health practitioners or their staff on matters relating to the provision of services; interviewing persons employed in a hospital or a health facility; entering and inspecting hospitals or doctors' offices and inspecting the operations carried out there; inspecting notes, charts, drug records and other material related to patient care. It gives the minister the power to copy and remove those files.

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The minister will have the power to actually force physicians to go where he feels they should go, practise where he feels they should practise. It gives the power to the minister to destroy the OMA. Is that right? No, it's not right if it's not done in consultation. Listen to the OMA. Listen to the health care practitioners. Listen to the service providers. Let's talk. Let's discuss. You know what? It's too bad that we had to force you to want to do that. Now you're saying, and we hear it on the news, "We always wanted to do this."

**Mr David Tilson (Dufferin-Peel):** Oh, is that what happened?

**Mr Bartolucci:** This way, we're getting less public input than before.

**The Deputy Speaker:** The member will address his remarks through the Chair, please.

**Mr Bartolucci:** You know what? That's wrong and it's not what the public should be hearing, because in fact it's not what has happened. You were forced to do it.

What's most interesting is that people can still sit on either side of the House and we can still think that this isn't serious business when we all know that this bill is probably the most serious piece of legislation that will govern the way this particular government will do business over the course of the next three and a half years. It will not be a successful exercise. It will not be an exercise that will enshrine you with the people of Ontario. In fact, what will happen at the end of the day is that the people of Ontario will reject this. They will reject this because it doesn't do what the people of the north want it to do. The people of the north want to become more involved in government. They want to become involved in government on a continuing basis, not only when the opposition forces the government to listen to people.

I feel badly that the process has finally led to this type of dialogue back and forth whereby we tried to justify what must have been done. What needed to be done, as I look back, and hindsight is always perfect, maybe should have been done a lot earlier in order to get you to listen to what the people of Ontario want most: a government that will listen.

Let me tell you, just in closing, what I would hope happens from all of this. I would hope that there are some people who are listening to the debate who will become interested in wanting to know why this government is doing what it is doing, why this government is so set on passing the legislation so quickly. Usually, there's a reason why you want to do it. If the reason is a good motive, not too bad, but in this instance you didn't want to listen to people. This tells me that you really, really are trying to hide things from the people of Ontario, and that's wrong.

That's not what I would hope each individual member on the government side wants. As a government, you seem to want that. I mean, just listen to what they're saying out there. They're accusing you of that. We're not the only ones saying, "Why won't they listen?" I mean, let's face it. Read the papers, listen to the television

reports, listen to the radio. What happened last week was very popular with the people of Ontario. The reason it was popular was because you haven't listened to them. If you had listened to them, that would have been a dumb action, rather than the only action that was necessary, the only action that we could do and an action that we should be very, very proud of. I'm happy that it worked out so that the people of Ontario will have an opportunity to debate, to give their points of view and, hopefully, to affect change.

**Mrs Marland:** This member just said that he's glad how things worked out. He also said, "It's too bad we had to force you." I would like to tell this member that I hope never again in the history of this Legislature do we have the kind of force that you and the members of the New Democratic Party brought to bear in this chamber last Wednesday. I will say to you that when you say it's too bad you had to force us, you did not force us, you have not won. In fact, we have all lost. We have lost by the demeaning behaviour of your colleague, which all of you were party to in this chamber. Every one of the members of the opposition who stood around that member as he voided in a Javex bottle under a blanket brought down the demise of this chamber, in my humble opinion.

This is a hallowed place. There are people in the world who continue to fight for the democracy which we enjoy in freedom in this province.

**Mr Peter Kormos (Welland-Thorold):** Not any more.

**The Deputy Speaker:** The member for Welland-Thorold is out of order.

**Mrs Marland:** For you to say that it's too bad you had to force us, you're quite right, it's too bad that you had to reduce yourselves to the kind of behaviour that was demonstrated in this chamber last week. We pray that that lowering of the standards and the absolute, total disrespect for what Parliament and the seat of government in this province have stood for for 200 years, whatever number of years it is—the fact is that we will never see that kind of degradation again in this chamber because we will not permit it. I can assure you of that.

When you say you have forced us, I simply say to you, look in the mirror. I'm sorry that it's happening to you in your first term of office because you're going to have to carry it as a party to what was demonstrated in this chamber last week.

**Mr John Gerretsen (Kingston and The Islands):** The first point that I would like to make is that that's the longest two minutes I've ever seen on the clock. There must have been a technical malfunction there, because that was quite an interesting speech.

I would just like to congratulate the member here for the excellent speech he gave and for his warning that it's too bad we haven't talked more about the provisions that are actually included in this bill on all sides of the House and it's too bad the government didn't see the error of its ways a lot earlier than it actually did. Because I would once again like to return to this bill and refer again to those sections on pages 147 and 148 that deal with the



huge powers we're giving municipalities in this province for direct taxation.

Let me just say at the outset that there aren't just municipalities that are interested in the Municipal Act and it isn't just the province that's interested in the Municipal Act; it's also the people of Ontario who are interested in the Municipal Act. For the life of me, I cannot understand that the government would allow a section that the Minister of Municipal Affairs and Housing, you may recall earlier today, had absolutely no knowledge of to be included in this act that states that if a municipality or local board has imposed fees or charges under this act, then no application shall be made to the municipal board on grounds that fees or charges are unfair or unjust.

Now, it's one thing to say they can't appeal, but it's quite another thing to say that you cannot appeal because the fees that are being charged are unfair or unjust. Under no circumstances should an appeal not lie when fees that are being charged are unfair and unjust. I would urge the minister to go back to his office tonight and to delete this clause and come back with a meaningful amendment, and also to get more knowledgeable about the act.

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**Mr Kormos:** I of course listened with great interest to what the member for Sudbury and, quite frankly, what all other opposition members have had to tell the public and indeed the government about what in fact is contained in Bill 26. Well, by God, the Minister of Municipal Affairs, as sponsor of this bill, displayed his ignorance of the contents of the legislation and of its impact upon taxpayers and homeowners and seniors and young people across the board, across this province.

I want to take some exception because I was proud, as were my colleagues in the opposition, both in this party and in the official opposition, to stand around Alvin Curling as he, with great courage, with great integrity—something that's not going to be seen very often, if at all, among these government benches—sat here in the face of the prospect of some significant punitive action so as to bring a little bit of democracy back to this chamber, so as to bring a role for the opposition back to this debate after these clowns wanted to ram this bill through when they in fact had no knowledge of the contents of it, still don't, and persist in ramming this through without adequate consultation, without a thorough understanding.

Let me tell you something: This government is far more dangerous to democracy than anything that opposition members could ever do to try to preserve the rights of the minority, the rights of the opposition to engage in an effective and meaningful debate. The fact that we're sitting here now is because this government refuses to resolve with the other House leaders the return of Alvin Curling to this House. What are they afraid of? They're gutless, they're cowards, they should be ashamed.

**Mr Stockwell:** It's with curiosity that I see the opposition members, particularly my friends the socialists, led by Mr Kormos, suddenly find themselves in the mood to talk about the democratic process. Because I myself, along with a few of my friends on the benches here, sat in opposition to the socialist government when they were in power, and democracy had nothing to do with their

particular legislative inclinations. Democracy never saw the light of day. In fact, I sat in this place with Mr Kormos the cabinet minister and a few others across the floor when in one week, one single week of four day sittings, they moved three separate closure motions on this place. What happened to democracy that week? It was called selective amnesia, revisionism.

Now in opposition, their ox is being gored. They've suddenly become true democrats, different as they were in government.

I also sat across the floor on Bill 175, when we had a huge omnibus bill to deal with—

*Interruption.*

**The Deputy Speaker:** Order. I want to know about a disturbance in the gallery.

**Mr Rob Sampson (Mississauga West):** Stop the time. Given him an hour.

**The Deputy Speaker:** I don't care about the timing. I don't want to get myself into trouble.

**Mr Duncan:** What's the ruling?

**The Deputy Speaker:** The gallery is in order, and I would ask if the member for Etobicoke West would like to continue. I think he has about 50 seconds left.

**Mr Stockwell:** I was in mid-rant there, so I'll try to pick up where I left off. I was sitting on that side of the Legislature, across from my friend Mr Kormos, who was in the gallery a minute ago, and I was here for Bill 175, which was an omnibus bill, sitting actually very close to where he's sitting this very minute. I know you gave us three days on second reading. Do you want to know what they gave us in committee of the whole? Thirty minutes. What a gracious lot these socialists are.

Bill 160: What did they give us on Bill 160? No committee time. What a gracious lot these socialists are.

Bill 143: They invoked closure after three days. What a crowd of democrats. You should be proud of yourselves.

**Mr Bartolucci:** In response and summation, I would like to thank the member for Welland-Thorold and the member for Kingston and the Islands for their short but certainly very, very important comments.

Let me talk in particular to the member for Mississauga South. I believe her choice of words is excellent: "forced." That's right; we forced you, there's no question. And we will stand up and we will do it again if we have to. We will do it for as long and as often as we have to do it in order to allow for democracy to take place.

Clearly I would hope that's the message you receive as well as you tour the province, listening to what the people of Ontario want to tell you, listening to the people of Ontario telling you that we want a part of the process, that in fact we want to be involved when we're talking about user fees, when we're talking about downloading, when we're talking about closing hospitals, when we're talking about scaring physicians out of northern Ontario, when we're talking about getting an Ontario that's going to be inferior to that which existed before June 8.

So to the member for Mississauga South, I would hope that we would never have to do it again. The only

assurance we have is that you, as a government, and you individually, collectively or whatever, will listen, finally listen, to the people of Ontario.

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**The Deputy Speaker:** Further debate? The Chair recognizes the member for Lawrence.

**Mr Joseph Cordiano (Lawrence):** I am very happy to have this opportunity to speak. It may not be the full 30 minutes, but I'm glad for whatever time I'm granted in this opportunity.

At the outset, I want to say to the members opposite and to those who spoke and commented on the actions that took place last week in this chamber—let me be very clear with members opposite, let me be very clear with the members of the government benches: What took place last week was an act of honour, a noble gesture, an act to preserve whatever democratic rights still existed at the time. They are few and they're getting fewer by the moment. Particularly after this bill is enacted, there will be fewer democratic rights in the province of Ontario. That is clear. I would say to members opposite that my colleague the member for Scarborough North acted with great nobility and great honour.

**Mr Klees:** Shame.

**Mr Cordiano:** Yes, he did. He did so because he believed what he was doing was right. He believed what he was doing was the principled thing to do in order to preserve the rights of the minority in this House.

I know backbenchers on the government side do not appreciate what that means yet. One day, should they find themselves in the ranks of the opposition benches, they will come to appreciate that a great deal more.

**Mr Rosario Marchese (Fort York):** You were just here a while ago.

**Mr Cordiano:** The newly elected members do not appreciate that, I say to my colleague from Fort York. They do not appreciate that, but when they sit on this side of the House, if they should ever have that opportunity—and it won't be too long, for some of you, anyway—they will come to appreciate what I've just said, that the rights of the minority of this House and the rights of the minority of people across this province count for something. That was demonstrated in this House.

We were pushed to the wall by the force of this government's bill, this government's legislation, which was entirely undemocratic, and we would say to them, do not do that to us again. Do not push us to the wall, because we were forced to take that kind of action. No one on this side of the House wants to do that, but it was necessary. My friend and my colleague the member for Scarborough North acted valiantly and acted with honour and acted with the great nobility that he carries. So I commend him and I say to members opposite, this was an act of honour.

Getting on with debate on Bill 26, from the outset I look at the bill—and it's a huge bill, for people out there in the public who have not seen it. It is a weighty bill and it has some 200-plus pages; very complex, very wide-sweeping in its breadth, certainly with respect to the powers that are intended to be granted to ministers and

the government, municipalities across the province and the public sector partners out there who will receive additional and extraordinary powers as a result of this bill.

This all points to one thing: that in fact the opposition made its point to have due process take place in this House. Due process is fundamentally democratic and fundamentally essential if this place is to function properly and if each of us, along with members of the public, is to have input.

This place is meaningful. It is a democratic process and it is necessary for people to have input, not just in this House but members of the public. We have done that repeatedly. It is a tradition. It is a democratic right to have some input into legislation that is put forward by the executive branch of government and then put to the Legislative Assembly for its deliberation and for its consideration. That's how this great assembly of ours has to work, must work, must be maintained. That is what democracy is all about. That's what the parliamentary system was designed to do. To make it work properly, due process must be upheld. There is no other way.

Now, the title of Bill 26: An Act to achieve Fiscal Savings and to promote Economic Prosperity through Public Sector Restructuring, Streamlining and Efficiency and to implement other aspects of the Government's Economic Agenda. My, my, a big bill with a huge title. I would argue that in fact this bill does quite a number of other interesting things and is in some respects contradictory to the intentions of the government, or at least contradictory to its ideals as stated in the Common Sense Revolution. In fact, the bill goes back on the ideals of the Common Sense Revolution in a number of ways which I will attempt to explain in the short time that remains to me.

But I think it's important for backbenchers to realize that this bill witnesses the end of the idealism of the revolution. It does that because it does the opposite of what was intended.

If this bill intended to reduce costs and make things more efficient and ultimately to reduce the impact on taxpayers—and I've thought about this very carefully with respect to what the government intended to do ultimately. In their discussion throughout the debate, in the campaign, throughout the numerous debates and subsequent to the election campaign in this chamber and throughout the entire province in debate after debate, it was repeated again and again: "There is one taxpayer and this taxpayer is overburdened. This taxpayer has been paying through the nose and we're doing something about that." The ideals of the revolution, remember.

This bill does nothing of the kind. It simply shifts the burden to the municipalities and to the transfer payment recipients, the transfer agencies—universities, hospitals, municipalities, schools. It allows them to impose user fees. It allows them to introduce new taxes, direct taxes, in municipalities. It will inevitably lead to higher property taxes.

Unintended consequences, I might ask, or is this the real purpose of the government, to shift the burden on to municipalities, to shift the burden away from the central,



senior government down to junior governments, the municipalities and transfer agent recipients? Was that the intention of the revolution? I don't think so. I ask backbenchers, was that the intention of the revolution? Was that what you fought the last campaign on? Was that an ideal of the revolution, to simply shift the burden and pass the buck with respect to achieving greater efficiencies? Because at the end of the day, there's a whole litany of user fees in this legislation, a whole number of ways—in fact, we haven't even discovered all the ways in which these costs will be passed on down the line and passed on in ways that perhaps were unintended by some of the backbenchers.

Or was there a plan at work here, afoot in the back rooms, in the cabinet itself, not quite fully explained to backbenchers of the government, that the real intention of this bill was in fact to pass the buck; it wasn't to streamline, to make more efficient, to allow for a greater sense of economic prosperity, as the title of the bill says?

In fact, the consequences of this bill are so far-reaching that I suggest the economic fallout will be quite severe and quite negative on the economy of the province. I think we're beginning to see some examples of that. Bankruptcies are starting to increase. The unemployment rate is higher. The fiscal plan and the economic statement that was produced by the Minister of Finance the other day shows within it that the growth rates that are projected would not make up for the difference in unemployment that will result. The labour force will be increasing at a much faster pace and the growth rate that's projected by the Finance minister will not make up the difference, so that there will be many more people unemployed in Ontario in the years 1996-97, 1997-98. In fact, for those two fiscal years the unemployment rate will be increased, according to the Finance minister's own projections.

I think the purpose there was to include some of the impact of Bill 26. Quite frankly, I think it's an optimistic outlook. When you impose such huge, lightning-speed cuts as we are witnessing here in Bill 26 that will be felt by Ontarians in the coming months after this bill is passed, we'll begin to see the true face of the revolution, the grotesque face of the revolution, as I'm beginning to point out, the disfigured face of the revolution. I think we will begin to understand, quite frankly, just what was intended.

The secrecy with which this bill was attempted to be snuck through the Legislature because they knew full well that this not only would have negative consequences for citizens throughout the province, but it would also go back on the very lofty, by their admission and by their intention, ideals of the revolution, to make things more streamlined, to help the average citizen out there. Well, it's not going to do any of those things, I say to members opposite. It simply will not accomplish the goals as set out by members who thought they were running for something that was of an ideal nature. It simply won't even accomplish that.

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Of course, I fundamentally disagree with what was being intended here. But I could understand that members

opposite, who ran in the last campaign, who ran with the ideals of the revolution intact, who felt that they had to bring about fundamental change to Ontario to make it more efficient, that things had gotten out of control, that costs were out of control.

Well, the deficit, let's talk about that for a moment. The deficit is out of control. I think everyone in this House would agree that strong measures need to be taken to control the deficit of this province. Oh, I agree with that 100%, so why then are you cutting so deep and so far, in fact jeopardizing the revenues that the government will in fact have to depend on? The very revenues that you have to depend on in order to reduce that deficit will be jeopardized by the impact of Bill 26 and the economic statement that was produced by the Finance minister in this House—absolutely will have a negative consequence on the economy of the province, and I don't think anyone on that side of the House is prepared to talk about that. In fact, it's glossed over. "It's something that we have to do for the sake of fiscal restraint and eliminating the deficit."

The case has been made in this House in repeated question periods that that's not all you're going to do, and that in the meantime, the deficit will continue to rise. In fact, you're going to add some \$20 billion worth of additional debt by the time you get to balancing the budget.

So I say to the government, why not deal with the deficit? Why not deal with it in a systematic, planned, well-thought-out, rational way which does not harm the economy, which does not do the severe negative things that this economic statement, along with the tools of the revolution, Bill 26, will ultimately lead to the consequences that I've talked about, negative consequences.

I think it's clear that the government really doesn't understand or appreciate just how negative the impact will be on consumers. I find that startling as well because, ultimately, the government says, "Well, this is why we have to have a tax cut so that consumers will have more discretionary income in their pockets." How are they going to do that if under Bill 26 user fees will be imposed on just about everything that moves in every municipality, including the imposition of library fees to lend out books, for example? This is absurd.

People like Mel Lastman, the mayor of North York, have said, "I can't wait to impose user fees so that we can begin to derive revenues as a result of Bill 26." Of course they have to do that, but does that mean more discretionary income for consumers? I ask members opposite, if the intended purposes of the revolution and of the economic statement were in fact to allow a break to consumers, to the overburdened taxpayers of this province, then I ask you, how is it possible that they'll be paying higher user fees, direct taxes that will be imposed by the municipalities, the very opposite of what was intended?

I can't understand how it is that members opposite would support something like this when I know that members opposite ran in the last election—I faced a Conservative opponent, a good lady, yes, she failed and I wish her well—but they obviously did not bargain for

this ultimately, this imposition of additional user fees, destroying the ideals of the revolution.

I say again to the members opposite, examine this very carefully because that's in effect what happens. Can anybody tell us—the Minister of Municipal Affairs is here today—that in a variety of municipalities, that one municipality to another there will not be huge increases where the differences will vary right across the province? Where is the limit? Where is the limit to the imposition of user fees?

The minister says in answer to some of these questions during daily question period, "Well, we depend on the rational behaviour of municipalities throughout the province, that their good sense and good judgement will negate any additional increases." I say to the minister, who's sitting in the House, at the end of the day when a municipality is facing these huge cutbacks from the province in the form of transfer payments that are not coming, and they have very little choice but either to increase property taxes, which is something that they dare not do, because it's so highly visible, well, what are they going to turn to? Of course they're going to turn to user fees. They're going to turn to them because they have no choice. And at the end of the day, the intended consequences are the same: less money in the pockets of the one taxpayer, as they put it so well. There's only one taxpayer, and yes, there is.

So I ask members, think about that because it's contradictory to the ideals of the revolution: efficiency, streamlining, ensuring that there is a break for the taxpayer. That's not what's happening here. We don't see that.

To talk about user fees in health care: The drug benefit plan, I think about the seniors in my riding and I shudder to think what the impact will be on them. They'll have less money to spend. They'll have less money to spend on other goods and services, and again that hurts the economy, because they're going to have to pay user fees now, not to mention the terribly regressive nature of user fees on seniors, which has again unintended consequences, I would say, giving the benefit of the doubt to members opposite on the government side, that they did not intend for this to happen.

It was snuck through. I would give the backbenchers the benefit of the doubt, that they simply didn't understand what was in Bill 26, how this would in effect work, the downloading on municipalities and all the transfer partners.

"We don't want it. We don't want this burden of having to cut simply from the core; in addition to doing all of this, we're going to allow you to impose user fees. We're going to allow you to do that in a variety of ways and at the end of the day, you'll make up for the losses." This is what you've said to transfer partners. Again, it does nothing for the ultimate consumer.

I was beginning to talk about health care. There are a terrible number of sections of this bill which deal with that, and again, as much has been said about the areas concerning health care, I would like to talk about just the impact of restructuring, again with the view to discussing what it was that the government intended with respect to restructuring.

Restructuring is not really what we're talking about here. It's really downsizing for the sake of chopping and cutting without any real rational plan around how to restructure, to do more for less, and that's not what we're talking about here. We're not doing more for less; we're doing less for less. That's ultimately the equation that you're following. You're not doing more for less, and I would say that that's a dangerous thing, because it cuts people off. It cuts people off from very vital services. It cuts seniors off from the use of the drug benefit plan. It imposes the terrible user fees that I just mentioned. It gives unprecedented powers to ministers, both the Minister of Health and the Minister of Municipal Affairs and Housing and a variety of other ministers, who now have direct, centralized authority to act and to act without right of appeal—again speaking to the undemocratic nature of this legislation—to act unilaterally, to act with unprecedented powers.

That is why the opposition took the action that it did, because we didn't think that all members of the government had understood the consequences of this bill.

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**Mr Miclash:** Members of the cabinet didn't understand it.

**Mr Cordiano:** I would say members of the cabinet perhaps had more insight into this and members of the cabinet perhaps had more time and ample briefings to understand what was in it. But I would sympathize with the backbenchers, who did not have the fullness of time and did not have the benefit of all those briefings that the cabinet ministers had.

I would ask you to go back to your ridings and ask what would be the consequences of the 30 or 40 hospital closures, some of which will be in rural ridings, some will be in small-town Ontario. What are the consequences for people in those areas, when you have a hospital closing in your riding and you have not seen the details around that? We have not been told which of the hospitals will be closing, but there will be consequences. There will be hospitals that in fact do close. I ask backbenchers, what do you say to your constituents when the local hospitals close down and access to emergency services is cut off and no longer what it used to be? Where's the plan for that? What government plan is there to make that more rational and make it more viable for people who are living in those remote areas?

I think there are a number of dangerous precedents in this bill on which we have acted, I say again, with a great deal of honour on the opposition side to point to these very difficult precedents that are being set, this power grab that's unprecedented by a number of ministers.

I would say as well that one of the unintended consequences perhaps, and it certainly would be for the backbenchers of the government, who again, with respect to the ideals of the revolution, talked about liberating the public from the heavy hand of government, from the heavy bureaucratization, from the heavy centralized, authoritarian control that comes from Queen's Park. I know that members opposite fought against that, fought against what they thought was in some ways to them immoral and unjust central authority, the heavy hand that



comes down from Queen's Park. I know that the members opposite who fought in the last election wanted to uphold those ideals.

What have we here with Bill 26? We have the exact opposite. We have a more centralized authority with respect to ministers' power grab in the various sections that are affected in Bill 26 in health, municipal affairs and a variety of other—the Mining Act is affected, the Game and Fish Act, all of the various ministers.

Furthermore, the Chair of Management Board—this is another area that I want to raise—is exempting the government from the Pension Benefits Act. It's allowing the government to wind up the public service pension plan and the Ontario Public Service Employees Union pension plan. It ensures that the government will not be sued as a result of the changes to the pension benefits, in whole or in part, any of the changes that they make. They've exempted themselves from the provisions of the Pension Benefits Act.

What it means is that for perhaps 13,000 public employees, there will be no pension benefits. I find that extraordinary, that the government would go out of its way to exempt itself from an act that pertains to every other citizen and every other sector of the province of Ontario. It is exempting itself from provisions of that act. I find that extraordinary; I find that completely undemocratic, unprecedented. It is extraordinary, to say the least. I think it's furthermore very dangerous.

So that is why we feel profound in our efforts to make the public aware of what's being undertaken here, to make them fully aware through our efforts to have public hearings, to ensure that every line of this legislation is scrutinized, to ensure that the public has input, to ensure that members of this Legislature have their rights to examine this legislation as Parliament should work and function properly. It is the only way.

It's also wise for the government to ensure that its legislation is scrutinized by its own members in the back bench. I'm certain, and this point has been made over and over again, that the government itself will have amendments to make to this legislation, so it would want due process to take place, due process giving a legitimate amount of time to scrutinize this legislation. It is appropriate and it is absolutely necessary that we go through this legislation in an effort to scrutinize it, and even if we disagree—and we fundamentally disagree—on principle with respect to many of the provisions of this act, not to mention the way it's brought about, that we would have ultimately the opportunity to examine it in its detail, to examine it, to scrutinize it very carefully.

Finally, I just want to say to members opposite, you know, the last government, the NDP administration under Bob Rae, was criticized for being heavy-handed, for having a top-down approach.

**Mr Len Wood:** But nothing compared to the Tories.

**Mr Cordiano:** You took the words right out of my mouth. It's nothing compared to Bill 26. I am just shocked that those members opposite, who again I say ran on the ideals of the Revolution, the ideals of liberating citizens of the province from the shackles of government,

from the heavy hand and the heavy weight that everyone bore with respect to government initiatives, the heaviness that came down from Queen's Park, the heavy hand—

Again and again we heard the criticisms of the government, repeatedly. Over and over again it was said of the last government that they were the most centralizing, authoritarian government that we had seen, that they undertook social re-engineering of the worst kind. Well, I say it's nothing—nothing—compared to Bill 26. I am completely shocked and dismayed that members opposite would follow this program blindly, members opposite in the back bench would follow this blindly without giving it due process.

**Mrs Marland:** We are in the front benches.

**Mr Cordiano:** I say to my colleague the member for Mississauga South, you know, I feel for her because I know that she would like to play a bigger role. Well, I would say to my colleague the member for Mississauga South, you have an opportunity with this to speak up for your constituents. This is an opportunity for the member for Mississauga South, the member for Etobicoke West—they're all good members of this House. They were in opposition in those days. They know the heavy-handedness of governments. They know the centralizing power grabs that took place. They know how dangerous it is for governments to grab unprecedented powers in the hands of few without appeal mechanisms, without appeal to any other authority.

It is unusual at best, to say the least, that the members opposite would not want to question this and would not lobby the cabinet to have the public hearings which we had to fight so gallantly and so valiantly to have and, I would add to the member for Mississauga South, with a great deal of honour, because it was a noble cause. Again I would commend my colleague the member for Scarborough North, whose shoulders the heavy burden was weighed on.

**The Acting Speaker (Mr Gilles E. Morin):** The time has expired.

**Mr Cordiano:** I would like to thank members of the House for this opportunity.

**Mr Gilles Bisson (Cochrane South):** I want to just comment quickly on the speech from the member for Lawrence because I think he hit the chord about what Bill 26 is all about, and that is the doing away with the due democratic process that citizens of this province and members of the opposition have entitlement to under a democracy.

I just wanted to commend the member for pointing out yet again to this government and to the people of Ontario watching that really what Bill 26 is all about is a government moving in a systematic fashion of saying: "We don't believe you, the voters, know any better than us. We believe as a government, a Tory government of Mike Harris, we have all the answers, and we will accumulate all the powers to the inner sanctum of cabinet so that in the end the cabinet, knowing best, can make all the decisions for the people of this province."

I want to commend the member for Lawrence for yet again pointing that out, because I think that's a point that

we need to remind Ontarians of over and over and over again, that this is truly a revolutionist government and, like every revolution at the end, when the revolutionists take power, the first things that they do is they accumulate power around them and they cut out the people and the process of participating in whatever democracy was there before, and that is exactly what this government is up to.

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I would also like to commend the member for pointing out in regards to the member for Mississauga South, who stood here a little while ago and was chastising the opposition at great lengths about the tactics the opposition had to take a week ago tomorrow in regards to the good member Alvin Curling. I would only remind members, because I know the member for Lawrence was here as well in the last Parliament, that the member for Mississauga South is not one to stand on a soapbox and preach on the question of ethics in the House. I remember well, as the member for Lawrence does, how she used time and time again the tactics available to her to be able to bring forward her points that she felt strongly on. She certainly should look in the mirror before she casts a stone at this side of the House.

**Mr Tilson:** I'd like to make a few comments with respect to the member for Lawrence. We were both in different parties, but we were in opposition together. I sat with him in committees and certainly I have the greatest respect for him. Certainly as a member of the opposition he has a duty and an obligation to criticize the government with constructive criticism of any policies or bills that we put forward, and I don't challenge the member for that at all.

But what I would challenge him for is to suggest that the tactics that were used by the opposition, by both the Liberal and the New Democratic opposition, are acceptable tactics in this House. They are not acceptable tactics. The member is saying that essentially the opposition, this particular opposition, will go to any length—any length. In fact, we saw that the member for Scarborough North, as far as I'm concerned, committed anarchy.

**Mr Miclash:** We were locked up when you brought it in here. We were locked up.

**The Acting Speaker:** Order, member for Kenora.

**Mr Tilson:** You know, we tell the members of our public to respect the police officer, we tell our students to respect the teacher, we tell our men not to violate women, and at this place, the violence that has erupted in this place, the attitude, the lack of respect for this House and for this Speaker, has reached an unbelievable low.

So as far as the comments of the member for Lawrence, although you're quite welcome to challenge and, as I say, you have an obligation to question the policies of this government—that's your duty—you don't have an obligation to use the tactics that you used in encouraging what has gone on in this last week. I hope that however this all turns out, this style will stop.

**Mr James J. Bradley (St Catharines):** I'm not going to have a chance to speak on this bill, unfortunately, because it is coming to a conclusion in just a very few minutes, so I did want to have an opportunity through the

two-minute response to deal with this matter and what has been said.

I want to indicate that with Bill 26, those who have indicated that it would have been much preferable to have this in probably about eight or 10 bills—it could have been handled, I think, much better by the House in that particular pattern where the government might have been able to indicate what it preferred to see move more quickly than the other aspects.

I would have liked to see the bill introduced earlier in the session as an alternative. There may have been reasons why the government was unable to do that, but once again what happens very often—I've seen it in many years and many different governments—is when the government introduces legislation of a controversial and massive nature fairly near the end of the session, we tend to get into these circumstances, and I think this can be overcome. The bill is going to come to a conclusion this evening and the government will be pleased with that.

This is a very massive bill, as we've mentioned. It amends some 44 acts. It creates, I think, three new acts. It abolishes two other acts. It's a bill which gives, and I won't go into detail, very sweeping powers to the executive branch of government at the expense of the legislative branch, and indeed not only to the executive branch but to those who are not elected members. I've mentioned on many occasions, I think, that the rights of all of us as elected members are diminished when that happens.

I think as a result of the hearings that we're going to have in January this year not only will democracy have been served, but you're going to have better legislation come out of this. You already see how difficult it is for ministers with a bill like this to know the intricate details of what's in those bills. This kind of input will allow for the kind of amendments that will improve this legislation considerably. So the final bill that passes will be far superior to that which was introduced, I'm sure.

**Mr Gerretsen:** I would just like to take a moment to congratulate the member for Lawrence for an excellent speech and to say that there's another section that I believe, in dealing with the sections that are contained in these acts, we should all take a very close look at, one that hasn't been looked at at all. I'm glad the Minister of Municipal Affairs and Housing is here, undoubtedly studying up on the bill so that he can answer all the questions tomorrow.

But there's a section here which is the second part in the notes that says: "Municipalities will be required to provide the Minister of Municipal Affairs and Housing with information which, in the opinion of the minister," which leaves it pretty loose, "relates to the efficiency and effectiveness of the operations of the municipality. The municipality must publish all or part of that information as designated by the minister and must review or audit all or part of it or make it available to be reviewed...as designated by the minister."

What I find interesting about that is that most municipalities are already doing this. They publish their financial reports; they're usually contained in the local paper. I don't know what this is saying when you say that the report has to "relate to the efficiency and effectiveness of



the operations of the municipality" as interpreted by the Minister of Municipal Affairs and Housing. That, to me, is a very loose and wide power that we're giving the minister. For a government that allegedly is interested in greater economies and saving of money, it seems to me that this is spending money again on things that are already being done in the annual financial statements.

I would once again request that the minister also take this section back with him to the office tonight, and maybe he can get together with some of his advisers there and determine tomorrow that this is another section that really isn't required. It's a waste of money, and municipalities are already doing this. Have greater faith in the municipalities of this province, Minister.

**The Acting Speaker:** The member for Lawrence, you have two minutes to reply.

**Mr Cordiano:** I just want to comment on what was said with respect to the solemnness and the sacredness of this assembly. I think I speak for all members of this House when I say there isn't a member who sits in this House who does not have the utmost respect for the sanctity of this assembly and for the sacredness of this assembly. I would say, apart from that, in addition to that, it is a respect for democracy that must be maintained at all times. One must remember that democracy is a fragile thing. It may appear on the surface to be democratic simply because we have the same visible outward symbols of democracy, but I tell you we must do our utmost to preserve that democracy. What was conducted here last week was an effort to preserve democracy. It was done with honour and, I repeat, it was done valiantly and with the respect that I think must be maintained in this House.

It's unfortunate that we were pressed to the wall by the government. I hope the government does not attempt to repeat the same effort in the future. I hope the government has also learned from this that it is not worth going to the wall on, for anyone in this House.

But I tell you—it is something that needs to be repeated again and again—that the fact is that democracy is a fragile thing anywhere in the world, and it must be maintained. And above all, in this assembly democracy must be fought for, if needed and necessary. I think every member of the opposition would agree with me with respect to the need to—

**The Acting Speaker:** Thank you. Your time is expired. Any further debate?

**Interjections:** No.

**The Acting Speaker:** The minister has moved second reading of Bill 26, An Act to achieve Fiscal Savings and to promote Economic Prosperity through Public Sector Restructuring, Streamlining and Efficiency and to implement other aspects of the Government's Economic Agenda.

Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

This will be a five-minute bell. Call in the members.

*The division bells rang from 2150 to 2155.*

**The Speaker (Hon Allan K. McLean):** All those in favour of the motion will please rise one at a time.

#### Ayes

Arnott, Ted	Hardeman, Ernie	Ross, Lillian
Baird, John R.	Harnick, Charles	Runciman, Bob
Bassett, Isabel	Harris, Michael D.	Sampson, Rob
Beaubien, Marcel	Hodgson, Chris	Saunderson, William
Boushy, Dave	Johns, Helen	Shea, Derwyn
Brown, Jim	Johnson, Bert	Sheehan, Frank
Carroll, Jack	Johnson, David	Skarica, Toni
Chudleigh, Ted	Johnson, Ron	Smith, Bruce
Clement, Tony	Klees, Frank	Stewart, R. Gary
Danford, Harry	Leach, Al	Tascona, Joseph N.
Doyle, Ed	Marland, Margaret	Tilson, David
Fisher, Barbara	Martiniuk, Gerry	Turnbull, David
Flaherty, Jim	Maves, Bart	Vankoughnet, Bill
Ford, Douglas B.	Munro, Julia	Villeneuve, Noble
Fox, Gary	Mushinski, Marilyn	Wettlaufer, Wayne
Froese, Tom	Newman, Dan	Witmer, Elizabeth
Galt, Doug	O'Toole, John	Wood, Bob
Gilchrist, Steve	Ouellette, Jerry J.	Young, Terence H.
Grimmett, Bill	Parker, John L.	
Guzzo, Garry J.	Rollins, E.J. Douglas	

**The Speaker:** All those opposed will please rise.

#### Nays

Bartolucci, Rick	Cooke, David S.	McLeod, Lyn
Bisson, Gilles	Cordiano, Joseph	Miclash, Frank
Boyd, Marion	Duncan, Dwight	Morin, Gilles E.
Bradley, James J.	Gerretsen, John	Patten, Richard
Brown, Michael A.	Gravelle, Michael	Pupatello, Sandra
Caplan, Elinor	Hoy, Pat	Ramsay, David
Christopherson, David	Kormos, Peter	Ruprecht, Tony
Cleary, John C.	Marchese, Rosario	Silipo, Tony
Colle, Mike	Martel, Shelley	Wood, Len
Conway, Sean G.	McGuinty, Dalton	

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 58, the nays 29.

**The Speaker:** I declare the motion carried.

Shall the bill be ordered for third reading?

**Hon David Johnson (Chair of the Management Board of Cabinet):** General government.

**The Speaker:** General government committee.

#### HOUSE SITTINGS

**Hon Bob Runciman (Solicitor General and Minister of Correctional Services):** I have unanimous consent to move the following motion:

That, notwithstanding any standing order of the House, when the House adjourns on Thursday, December 14, 1995, it shall stand adjourned until Monday, January 29, 1996, at which time the House shall meet from 10 am to 12 noon and from 1:30 pm to 6 pm and that when it adjourns on that day it shall stand adjourned until Monday, March 18, 1996.

That on Monday, January 29, 1996, the House will consider reports by committees at 10 am as the first order of business and will receive the report from the standing committee on general government on Bill 26, An Act to

achieve Fiscal Savings and to promote Economic Prosperity through Public Sector Restructuring, Streamlining and Efficiency and to implement other aspects of the Government's Economic Agenda. The House will then immediately proceed to orders of the day for third reading of the bill until 12 noon. At 1:30 pm, during routine proceedings, the House will consider oral questions only and on completion, will immediately proceed to orders of the day to continue debate on third reading of Bill 26.

**The Speaker (Hon Allan K. McLean):** You have heard the motion. Can we proceed with the motion? Agreed.

Carried? Carried.

#### TIME ALLOCATION

**Hon Bob Runciman (Solicitor General and Minister of Correctional Services):** I move that pursuant to standing order 46 and notwithstanding any other standing order in relation to Bill 26, An Act to achieve Fiscal Savings and to promote Economic Prosperity through Public Sector Restructuring, Streamlining and Efficiency and to implement other aspects of the Government's Economic Agenda, upon passage of the motion for second reading, the bill shall be referred to the standing committee on general government;

That the standing committee on general government shall be authorized to meet during the winter adjournment to consider the bill as follows:

From Monday to Friday during the weeks of December 18, 1995, January 8 and January 15, 1996, from 9 am to 9 pm to receive public submissions on the bill and from Monday to Friday during the week of January 22, 1996, from 10 am to 6 pm to complete clause-by-clause consideration of the bill. All proposed amendments shall be filed with the clerk of the committee by 4 pm on January 25, 1996. At 1 pm on January 26, 1996, those amendments which have not yet been moved shall be deemed to have been moved and the Chair of the committee shall interrupt the proceedings and shall, without further debate or amendment, put every question necessary to dispose of all remaining sections of the bill and any amendments thereto. Any divisions required shall be deferred until all remaining questions have been put and taken in succession with one 20-minute waiting period allowed pursuant to standing order 128(a); that the committee be authorized to meet beyond 6 pm on Friday, January 26, 1996, if necessary until consideration of clause-by-clause has been completed.

That the committee shall report the bill to the House on Monday, January 29, 1996, during reports by committees. In the event that the committee fails to report the bill on the date provided, the bill shall be deemed reported to and received by the House;

That upon receiving the report of the standing committee on general government, the Speaker shall put the question for adoption of the report forthwith, which question shall be decided without debate or amendment;

That Monday, January 29, 1996, be allotted to the third reading stage of the bill. At 5:45 pm on such day the Speaker shall interrupt the proceedings and shall put every question necessary to dispose of this stage of the bill without further debate or amendment.

That in the case of any divisions relating to any proceedings on Bill 26, the division bell shall be limited to five minutes and no deferral of any division pursuant to standing order 28(g) shall be permitted.

I believe we have unanimous consent for a five-minute bell following comments.

**The Speaker (Hon Allan K. McLean):** Mr Runciman has moved this resolution. Is it agreed that there be some debate on it?

**Mr James J. Bradley (St Catharines):** Interestingly enough, the debate is going to be uncommonly brief on this particular motion. Ordinarily, when a closure motion or a time allocation motion is passed in the assembly, or at least proposed to the assembly, it is the subject of a vigorous debate and often cantankerous debate. This evening, there will be a slight change in that there will be a few remarks offered but not much else. We will be voting on it shortly, as the acting government House leader has indicated.

I simply want to reiterate that which I have said on a number of occasions about this bill and about an omnibus bill and the need to apply closure to any bill of this kind, or time allocation. That is that there would be a preference—I think all governments in the future, this and any future government we have should look very carefully at the option of selecting omnibus bills as a method of proceeding through the House—not always excluding that possibility, but ensuring that the omnibus bills in fact are bills which contain matters which are related and can be almost agreed to with the opposition as being the contents of an omnibus bill.

Our preference would have been—and the Premier probably would be able to tell me that there was a reason why it could not have happened and there may have been very valid reasons that controversial legislation of this kind or important legislation be introduced earlier in the session. I have sat on the government side, so I know this isn't always possible to do, but as much as possible I think it is good for the House to have that legislation before us at a time in which we can debate it thoroughly.

I know that the government members and the opposition members who will sit on the committee which has been established by this motion will benefit from the representations which are made by the various people who come before the committee and I think there has been provision in this for some considerable time for clause-by-clause analysis and consideration of the bill. This is very important, because again this is an opportunity for government and opposition to offer changes, amendments, suggestions on how the bill can be improved.

I happen to believe that at the end of this piece, the legislation which finally emerges, while I doubt it's going to get the full support of the opposition—in fact, you would be surprised, perhaps, the debate that has taken place that it would be the case—but I really think the legislation will be superior to what it might have been without this kind of consideration. I think that will be helpful for the process.



It means the government will not have to come back six months from now to try to fix the bill. We may not go through the process we went through with the labour bill, where I think we had over 60 amendments that came in to the bill, some of them certainly housekeeping amendments. But this is a superior process that has been agreed upon. I hope the legislation that does emerge is one which will have a better consensus out there.

Because of the nature of the legislation—that is, because it remains an omnibus bill or a massive bill—I think that you will still see some considerable opposition. But part of it will be abated by the changes that you make to this legislation. I think there will be a better understanding.

I've witnessed in the House ministers as well as members of the opposition who would need clarification on the contents of this bill. That often happens in an omnibus bill. If it's your own bill, as a minister, it's much easier; you tend to really go through it and you own the bill and you want to proceed with the bill. When it's an omnibus bill and they throw everybody's laundry into the one laundry pot, what happens is it becomes difficult to manage the bill. I think in the future a lesson from this for all of us who sit in this assembly is to try to get that kind of breakdown of a bill.

We appreciate some of the discussions which have taken place between the House leaders and others who have been acting on behalf of the House leaders the last couple of days. I think they've been productive. They've been very helpful. I want to commend those who participated in this process, which I think will benefit this House immensely.

2210

**Mr David S. Cooke (Windsor-Riverside):** I think that any of the newly elected members of the Legislature will look at tonight's debate and they will see that on this time allocation motion and they will understand that the opposition parties are truly willing and able to cooperate when the government is reasonable. And that's what this process is all about.

In fact, the last week has reminded me very much of times in the past when I was in opposition and worked very closely with the Tory House leader, who is now the Premier, and Mr Lindsay, who is now one of the whiz kids in the Premier's office, and how we used to work together to make sure the Liberal government of the day respected democracy, and that's what this process is all about.

On principle, we will be voting against the motion, but I do want to indicate that I agree with the House leader for the official opposition that the end result of this time allocation motion provides for a much better, a much more democratic process than the one that was being proposed by the government just a very few days ago.

This is a very important piece of legislation that I think has some very serious and obviously our caucus believes very negative consequences for the people of the province. But before the government that's democratically elected has the opportunity to pass it into law, the people of this province have a right to participate in the process.

They can't participate in the process when they don't even understand the legislation, and they can't be expected to understand complicated legislation when a timetable is put forward that a bill of this nature will be introduced and passed within seven or eight days.

I know there are some Conservative members of this Legislature who are offended and are upset at the process that was used by the opposition parties in the last week. Without trying to be provocative at this particular point in the debate, I want to say I'm not the least bit upset, disappointed, in what my caucus and the Liberal caucus engaged in in the last week. I think it was the right thing to do. In the end, it defended and implemented the democratic process which we're all elected to defend.

So the time allocation motion didn't come about simply by negotiation; it came about as a result of the opposition parties saying: "Enough is enough. The government is moving too quickly without giving it a lot of thought." I can tell you and I say this to the Minister of Municipal Affairs today, if there was ever an example that the government should be standing up in the House today and saying, "We thank you for delaying this legislation," the example was given today in question period where there was no understanding and no ability to explain an incredibly important aspect of this legislation.

We are now going to have the opportunity to have public hearings, and we're going to have public hearings not just in Metropolitan Toronto but in other communities across the province. We're going to have a week in clause-by-clause, and I can only imagine that that week will be incredibly well used, because there will be and I think we should all put into a pool how many amendments there will be, and guess. I'm guessing at least five dozen amendments. There will at least be 50 or 60 amendments to this legislation, and they might just be the amendments to clean up the bad draftsmanship, let alone the policy changes that will have to be put in place.

I'm pleased with the result. I hope that the government has learned a lesson, that when there are major changes that come into this place through legislation, the opposition parties, though we are small in numbers, will not stand for the democratic rights of the people of this province to be trampled on. We have an obligation to protect those rights. We will fight for them, and we could've done it a lot more sanely by simply negotiating fair and equitable public hearings across the province. That could've been done with none of the tactics that the opposition was forced to engage in.

I appreciate this motion being put forward. I look forward to being part of this very important committee process.

**The Speaker:** Any further debate?

**Hon Mr Runciman:** Some very brief comments. We're pleased on the government side of the House that this legislation is going to receive public hearings. There's no question that this legislation is important. It's also critical in terms of turning around the Ontario economy and restoring prosperity to this province.

Although we are pleased with the hearings process, I want to put on the record that what we will achieve here

is in actual effect fewer hours in terms of committee hearings than the government originally offered. I think that all Ontarians viewing this this evening should understand that our original offer to the opposition parties included more hearing hours in terms of public involvement and participation than what we've agreed to.

In any event, I'll indicate quite clearly that we're looking forward to hearing from groups and individuals who wish to participate in this process and have a contribution to make.

**The Speaker:** All those in favour of the resolution will please say "aye."

All those opposed will be please say "nay."

In my opinion, the ayes have it.

Carried.

**Hon Bob Runciman:** Mr Speaker, I want to indicate that we have an agreement among the House leaders to defer votes on Bills 8 and 15 until tomorrow. They will take place before orders of the day.

**The Speaker:** Agreed? Agreed.

WORKERS' COMPENSATION  
AND OCCUPATIONAL HEALTH AND SAFETY  
AMENDMENT ACT, 1995

LOI DE 1995 MODIFIANT LA LOI  
SUR LES ACCIDENTS DU TRAVAIL  
ET LA LOI SUR LA SANTÉ  
ET LA SÉCURITÉ AU TRAVAIL

Mrs Witmer moved third reading of the following bill:

Bill 15, An Act to amend the Workers' Compensation Act and the Occupational Health and Safety Act / Projet de loi 15, Loi modifiant la Loi sur les accidents du travail et la Loi sur la santé et la sécurité au travail.

**Hon Elizabeth Witmer (Minister of Labour):** This evening, I'm pleased to have the opportunity to move third reading of Bill 15, an act which is going to reform the Workers' Compensation Board.

Bill 15 represents the initial thrust in our two-stage plan for a complete and total overhaul of the Workers' Compensation Board. It will strengthen the board in the short term and it will position the board well to implement some of the longer term, systemic changes that are being considered by my colleague the Minister without Portfolio with responsibility for workers' compensation reform. That's why Bill 15 addresses the very critical and important issues of governance, management and accountability of the board. It also contains very aggressive anti-fraud and other revenue loss measures.

No one can dispute the need for WCB reform. Whether it is in the short term, the medium term or the long term, the problems at the WCB have increased in recent years. In fact, today, the unfunded liability threatens the day-to-day operation of the system, as well as the board's ability to pay out future benefits that are owed to injured workers. Thus, it is time to act now decisively.

The most serious issue facing the WCB is that, as I mentioned before, the unfunded liability. Unfortunately, it has grown from a little more than \$2 billion in 1985 to a staggering \$11.4 billion today. This, as we know, is certainly out of line with any other workers' compensation system in Canada.

If we fail to take decisive action to eliminate the unfunded liability, the toll will be paid not only by the employers in this province who will see still higher assessment rates when we're already the second-highest in Canada, but it will also be felt by our injured workers and our workers who will have fewer job opportunities because our high assessment rates are one of the barriers that is a disincentive for employers to invest in Ontario and, as a result, create new jobs for our people.

It's time we take decisive action to remove one more barrier that will help us create the economic environment that is so necessary in this province if we're going to encourage individuals to bring their investment dollars into the province, whether it be from other provinces, from the United States, from Europe or the Far East. Certainly we are all looking to see more job creation for people of all ages.

2220

However, it is not just the unfunded liability that is the reason for decisive action. The WCB's bipartite governance structure has also hampered effective decision-making. Unfortunately, they have been unable to make decisions regarding the financial improvement package. They have been unable to make decisions about issues such as stress and other issues of entitlement. As a result, we recognize that once again, as in the case of the Workplace Health and Safety Agency, bipartism has unfortunately failed to address the needs of the stakeholders in this province.

At the same time, we recognize that the service the WCB currently provides to employers and workers is inadequate. We know it takes too long to process claims. That is a concern, particularly when MPPs daily are receiving phone calls from our constituents, particularly injured workers, who are finding it very difficult to obtain their benefits in a timely manner and there's a tremendous amount of frustration. We need to do whatever we can to improve claims management and provide much better service than we have to the employers and the workers at present. We know there is a dedicated staff at the WCB. Obviously, we need to harness the energy and commitment that are there and make sure we get on with the job.

At the same time, the entitlement to benefits has continued to expand and there has been almost a total disregard for the ability of the system to pay. That, unfortunately, has had very negative consequences on the system as well.

These are the problems we need to deal with if we are going to adequately protect the right of our injured workers to the entitlement they deserve. We could no longer ignore these problems, so we have introduced Bill 15 in order that we can now act and start the complete overhaul of the workers' compensation system.

Bill 15, as I have indicated, lays the foundation for the overhaul of the WCB. We've had an opportunity now to send the bill out to committee and we have heard from the different stakeholders. Actually, their concerns were not so much focused on Bill 15. There seemed to be general agreement that this indeed was creating the foundation necessary for future reform. Much of the



concern was directed at the next stage of the process, the process involving the reforms to be introduced at some later date by the Minister without Portfolio responsible for WCB reform.

What does Bill 15 do? It installs a multipartite board of directors at the WCB. This board will represent not only the workers and the employers but all the other people in this province who have a stake in the system. This board will be given the direction to represent the stakeholders in a manner which does not put them in a position where they are beholden to any special-interest group. They are there to ensure that the system will address the needs of all those the WCB represents.

This board of directors, which will be multipartite, will need to be carefully selected, and they will need to work together in a common cause. We will also be installing a new president, who will lead the WCB into the new era. We have indicated that there is a need for very strong leadership, someone who has the experience to turn the WCB around, and I hope I will shortly be in a position to name the successful candidate for that position.

Our bill will impose some financial planning and accounting measures on the WCB, very necessary measures if we are to have sustainability for the future. It will require five-year strategic plans. It will require that a statement of priorities and investment policies be brought forward, as well as introducing regular value-for-money audits which are going to be done by outside professionals. Unfortunately, we haven't had an audit since 1993. The very key service areas of adjudication, benefit payments and rehabilitation will come under very careful scrutiny by outside auditors, whose recommendations for improvement will be binding on the board.

The amended act also requires that financial accountability be a key consideration in all the decisions of the board of directors.

Bill 15 also very aggressively attacks the issue of fraud and abuse of the system and revenue loss at the WCB. We know that fraud probably costs us in the neighbourhood of \$150 million a year. We know that those involved include employers, suppliers to the system, and employees. We are increasing enforcement and ensuring that the penalties will be toughened so we can deal very aggressively with the entire issue of fraud. I know there are individuals who are addressing that issue already.

Finally, Bill 15 emphasizes the very natural link between good health and safety practices and lower compensation costs. The board will now be given the responsibility for promoting workplace health and safety. Preventing injuries and fatalities is now enforced through the purpose clause of the act. This has been added; that was not there before.

It's obvious from the report presented to the House today that unfortunately the health and safety agency has not been able to demonstrate that there was a process in place that dealt effectively with a measurement of how we were doing in terms of reducing workplace injuries. That responsibility, we feel, is very important, that the WCB focus, number one—if we're ever going to reduce the costs at the board, we need to first ensure that we have in this province a safety culture. We need to ensure

that every person, whether it be a young person just entering the job market, someone who has been there for some time or someone coming back after years out of the workplace, receives the appropriate information and education regarding workplace health and safety.

Only by putting it into the purpose clause and addressing it up front will we ever be able to reduce the amount of benefits we pay today. I can tell you, we are focusing on workplace health and safety and prevention of injuries.

**2230**

In the six weeks since Bill 15 was introduced, we have had discussion and we have had interest expressed in the bill. We recently concluded public hearings where the stakeholders had the opportunity to express their views on the legislation. The government has had an opportunity to listen closely to the information that was presented, and as I indicated to you before, there seemed to be much more interest and concern in the stages after Bill 15, as opposed to Bill 15.

We are satisfied that the bill, in its original form, can accomplish all it was set out to do; that is, to lay the foundation for the future reform of the WCB, to bring in measures of financial accountability, and we will be, as a result of the passage of this bill, very well positioned for the further changes that will be introduced in 1996 that will enable us to completely overhaul the system.

Reform of the WCB is certainly a priority for our government. It is urgent, because we need to ensure that we bring down the barriers that could keep us from creating the jobs that we are optimistic can be created. I would certainly urge all of the members to support Bill 15 on third and final reading so we can set about the task of addressing the problems with the WCB, all of which I have not enumerated this evening, because we have been discussing the problems now for the five years I've been here.

Our goal is to ensure that at the end of the day, we have a system that can address the needs of the injured workers. That is certainly our objective, and also we need to address the fact that the employers feel comfortable with the system we have put in place. All the stakeholders need to feel very satisfied that the legislation we're introducing sets the stage for the complete overhaul.

**Mr Duncan:** I rise today to follow my colleague the member for Waterloo North, the Minister of Labour, to speak about Bill 15. I want to take it one section at a time and I want to try and address where we see progress and where we think the government has failed.

Tonight and in her speech on second reading, the minister made much of the new purpose section of the Workers' Compensation Act proposed in this bill. The minister spoke about financial responsibility, and tonight she noted the new subsections in the purpose clauses which deal with health and safety, section 0.1, paragraphs 5 and 6. They read, "To prevent or reduce the occurrence of injuries and occupational disease at work," and, "To promote health and safety in workplaces."

The changes around financial responsibility merely rework language that was already in the act. I would like to remind the government that clause 0.1(e) in the current

statute states, "to require the board of directors of the Workers' Compensation Board to act in a financially responsible and accountable manner in governing the board."

More important, in our view, in the purpose section are the changes around health and safety. What we've heard from the minister to date is a lot of talk about the government's commitment to health and safety, but what we've seen is nothing. We've seen the health and safety agency disbanded. We've seen leaked cabinet documents that call for the virtual gutting of the enforcement of the Occupational Health and Safety Act. We have had talk about her review team, which is meeting in secret to discuss the future of health and safety in this province. We will likely have that report not tabled here in the House but announced when the Legislature's not sitting. We hope the government will allow full public hearings on any changes they recommend. We think the government intends to go back to the old way the board did health and safety, which didn't work. Minister, bold words will not make our workplaces safer or healthier.

The bill changes the governance model at the board. It takes the board from its current bipartite status to a multi-stakeholder model. The amendments contained in sections 5 and 6 of the bill and subsections 56(1) and (2) of the act create the new board, which will consist of the chair, the president and a minimum of three and a maximum of seven members who are representative of workers, employers and such others as the Lieutenant Governor in Council considers appropriate.

Our party, as it did in the election and in the run-up to the election, supports the multi-stakeholder model. Indeed, we brought forward amendments at committee, which were quickly struck down, that would've given more definition to this multi-stakeholder model and who ought to sit on that board.

We warn the government in good faith that you have created a statute that ultimately will not serve employers well, or, for that matter, employees. One assumes that future governments will make appointments to the board that would meet with this government's approval, and we don't know that. We think the act leaves the whole notion of membership of that board dangerously open. We think those changes are bad public policy.

The minister noted this evening that she will soon be announcing the appointment of a new president, and we look forward to that appointment. We are reminded of a time some 10 years ago when a Liberal government appointed the former Conservative Labour minister, Dr Robert Elgie; I remember it was a great day in this House. We found somebody of competence and ability who led the board for some six years, I believe, led it with distinction. I hope the government finds somebody of that calibre and resists the temptation to appoint one of its friends.

One issue that came up both from the workers' perspective and management's perspective in the bill was the question of "material change." In the spirit of non-partisan discussion, I wrote the minister and spoke to the minister, I spoke to her parliamentary assistant, I appealed to the committee, to take the sections in the act

which deal with the issue of material change out of the act and refer them to the minister who is currently looking at further WCB reform.

As I should've expected, no response to the letter, brushed off by the minister, and the committee members dutifully put up their hands and said, "Whatever the government says, we'll do dutifully." We've heard from employer groups again today, just today, "We're very concerned about it." It's unfortunate that the government insists on conducting public policy in this manner, and it's unfortunate that the backbenchers would subvert their own interest as independent members and as free-thinking people and not act in the public interest instead of acting only in the government's interests.

2240

The government talked about financial responsibility. The government has talked about the unfunded liability, which we view as a very major problem as well and believe must be addressed. But in the area of financial responsibility, again more window dressing. The government has removed the financial responsibility of the board from the purpose clause and added subsection 58(2) to the duty clause of the board of directors, which, as I indicated, is merely window dressing. They're trying to give the impression that they're doing more than they really are in the area of financial responsibility. They talk a lot.

The best way to ensure that the board acts in a financially prudent way is to appoint competent members who have a track record in financial management, in a union or management setting. We again urge the government to resist the temptation to merely appoint its friends, and we urge the government, we urge the minister, the Lieutenant Governor in Council, to appoint representative and competent members.

New wording with respect to section 65.2 in the memorandum of understanding sections takes power from the board and places it solely in the hands of the minister. The amendments also provide that the memorandum of understanding must address certain issues as defined in the act.

I said to the committee and I indicate tonight to the minister that we don't think what you're doing is good public policy, but we welcome it. If you want to take responsibility for everything that happens in this schedule 2 agency and want to be held accountable—the parliamentary secretary indicated, to paraphrase, that you want to be held accountable from time to time—we welcome that, but we advise the government that we think you'll regret the decision.

You spoke during the campaign of the need to depoliticize the board, but what you've done through these sections is politicized it more. You've politicized it by placing the ultimate authority in the hands of the minister. Depending on which minister actually is in charge of the board, we intend to use that section to force that minister to deal with problems as they arise.

We proposed amendments to section 13 of the bill to read, "Every five years the board and the minister, acting on behalf of the Legislature, shall enter into a memorandum of understanding containing only such terms as may



be directed by the minister and/or the Legislature." It is the view of our party that the Legislature, not the minister, ought to be the final authority directing the WCB.

We tried to amend section 16 of Bill 15 to provide that the Legislature will determine where value-for-money audits will be determined. As a matter of public policy, what if there's something the minister doesn't want looked at or to have a value-for-money audit conducted upon? Naturally, the areas that are going to be the most difficult are probably specifically the ones the minister won't want that to happen to. We proposed, and of course the government members again dutifully raised their hands and struck down our amendments.

Most peculiar in this bill were the amendments to section 109 of the act and the new section 109.1, the sections dealing with employer registration which clean up and add to sections that are presently in the act. This government, which has talked a good game about reducing the paperwork to businesses, is adding in these sections, in our view, a considerable paper burden to businesses.

While the Minister of Consumer and Commercial Relations is "clearing the path" for business—I think that's the catchword this week—the Minister of Labour is throwing scrub brush on the path that will further tangle businesses in the massive complexity of the WCB. We asked the government to drop these sections of the bill, and again they did not.

It's our view that sections 17 to 26, those sections of the bill which are designed to reduce fraud and waste, will likely wind up costing more to enforce than they will save. These sections constitute a significant paper burden for the board, employers and workers. For a government that said, "Immediate action will be taken to eliminate all red tape and reduce the regulatory burden"—I refer you to page 3 of the Common Sense Revolution, the first edition, I believe. Given everything that's happened here, we ought not to be surprised at yet another broken promise.

Section 27 of the bill creates a new part V of the act: offences and penalties. Now offences are established for providing false or misleading statements to the board and for failing to advise the board of material changes. I guess we learned what the government's definition of "material change" is when they introduced Bill 26, but the minister and the government refused to deal with the concerns of both workers and employers around the definition of "material change," and we submit that the government will sorely regret that decision.

Fraud is no doubt of great concern to everybody. It's of concern to injured workers, it's of concern to employers, it's of great concern to the government and the opposition. The minister has introduced huge new fine levels; they're going to fine you everything you could imagine, I think \$100,000.

But interestingly enough, when we questioned the board, there are only three to four prosecutions a year. With the current maximum fines in the neighbourhood of I think \$25,000—a lot less than the tough guys in that government are going to implement—the largest fines levied are usually \$1,000 to \$2,000.

What a crock of hot air, designed to pacify your friends who think that injured workers are ripping off the system, who would penalize somebody who's injured on the job. What an absolute crock, and it's something all of you ought to be ashamed of. When the facts and the truth are brought into the debate, it shows you for what you are. Sad, sad, sad.

The minister has not spoken about what resources will be applied to enforcement. If you change the law and maintain the same structures for enforcement, I submit that you really haven't done much of anything.

Finally, sections 28 to 33 of the bill give effect to the minister's August announcement. I would remind you that your steps with respect to the health and safety agency are akin to throwing out the baby with the bathwater.

Why didn't you listen to Dr Tuohy's recommendations? Why didn't you listen to the auditor of the agency, whose partner, I believe, is some fellow named Bill Farlinger? Why didn't you listen to them? Why didn't you attempt to address the recommendations? I submit this government really is not committed to health and safety in the workplace, and you have yet to offer an alternative.

We will continue to press because we're very interested in health and safety in the workplace, because we recognize that the best way to reduce WCB costs and the unfunded liability is to reduce the incidence of sickness and injury and accidents in the workplace.

#### 2250

Let's just take my last couple of minutes to address what's not in the bill. In the minister's August 28 letter she said they were going to talk about governance, benefit levels, waiting period, limiting entitlement, financial accountability, value-for-money audits and fraud. Of the seven points I've enunciated, only four have been addressed, and those four, in our view, have not been well addressed. You've deliberately ignored benefit levels, waiting period and limiting entitlement. You should address everything at once in a comprehensive bill.

And, you know, you talk a game about consultation, but delegation after delegation after delegation that appeared before our committee said they have not been consulted about the changes that are yet to come—not just worker groups but management groups. No one has been consulted, and we're given to believe that these changes will come about some time in the spring.

We believe that the minister ought to be holding public consultations now, and the government ought to come clean about its agenda, and the government ought to give assurances to injured workers that the problem of the unfunded liability will not be addressed on their backs.

Again I indicate that group after group after group said to us in the committee that they have not been consulted. I guess, though, given everything that's happened here, we ought not to be surprised. The pattern emerged with Bill 7. It continued on with Bill 15. There wasn't adequate time for hearings, delegations were limited. We agreed to a compromise that, frankly, we wouldn't have agreed to if the numbers weren't the way they are in this House.

I said in my reply to the speech from the throne we all agree that the government, and indeed the WCB, must get its financial house in order. The question isn't what direction we go in. Rather, it is how we get there and what period of time we take.

Let's view what the government has done to date: They've cut welfare rates; they've cut health care expenditures; not delivered on a nutrition program; they've cut subsidized child care; they've cut second-stage shelter and counselling for battered women and their families; they've cut a variety of programs and services aimed to help the elderly, the disabled and native persons; and they are attempting to change the governance structure of this province without meaningful public consultation. And we fully expect your next target will be injured workers. Just as you got seniors and folks who rely on the Ontario drug benefit plan this month, in March—in March, we submit—it will be injured workers.

That government has polarized Ontario society. You pit rich against poor, north against south, women against men, labour against management. And oh, yes, there will be winners. There will be real winners in that Ontario. But I say to you, what do any of us profit if we do it on the backs of the poor and vulnerable in our society?

**The Speaker:** Further debate?

**Mr David Christopherson (Hamilton Centre):** I appreciate this limited opportunity to comment on the last stage of Bill 15. I want to first of all comment and correct once again the minister, who continues to disappoint me and my colleagues with regard to the things that she says that—how do I put this?—are not exactly reflective of reality.

She says that there was general agreement on Bill 15 in the committee hearings. No, there wasn't. There was general agreement between the employer groups, and general agreement between the labour groups and those representing injured workers, but by no means were both those groups in agreement on much of anything.

The minister said that not once but twice. Again, having known the member when she was over here in opposition and having held her in the highest regard, I find it so difficult to accept that somehow she has let her own personal standard slide to the point that she's prepared to make statements like that in this House, and, as I say, she's done that before.

The minister also in her comments talked about the most serious issue was the unfunded liability. The most serious issue facing the WCB was the unfunded liability. Gee, I always thought the most important issue facing the WCB was injured workers.

But I think that speaks volumes about the kind of priorities that this government has, because when they look at the WCB they see numbers—just numbers. People who represent workers—unions, injured workers' organizations, even lawyers in legal clinics—all those folks, when they think and look at WCB, they think of people, and they think of the hurt and the harm that comes to innocent workers, through no fault of their own, when they're hurt in the workplace, and the priority for them is to do something about those workplaces, through training,

through improved procedures, through improved working conditions, knowing what is in chemicals that are being handled. We're creating, in our modern-day society, tens of thousands of new chemicals a year. We don't know the impact on humans over the long term. That ought to be where the priority is.

Instead, this government's priority is once again to create another phoney crisis, take something that's a legitimate problem—because I think we'll all acknowledge that there is a problem that we want to deal with, but it's not a crisis—the government continues to try in every area to use that as their justification for what quite frankly ends up being an out and out attack on workers and the most vulnerable in our society.

Even when we do look at the unfunded liability, which the government heralds as the most important issue facing the WCB, we find out that the unfunded liability decreased from \$11.5 billion in 1993 to \$11.4 billion in 1994: not a huge drop, but it's a trend line going in the right direction.

We've always maintained we can do that with most of these fiscal problems facing this province in all the areas, in a way that doesn't cause the kind of pain and hurt that this government's agenda does, and let's never forget: The majority of this money they're saving across the board goes for that tax cut that the wealthy will benefit from. Never lose sight of that, because that's the thread that runs through everything.

Further to the unfunded liability, they talk about it being in a financial crisis. There was an operating surplus last year and they expect there to be one this year. The funding ratio, which is the ratio between funds that are currently in the asset account and those that would be owed over the long term: 1985, 31.8%; in 1994 it's up to 37%.

The minister talked about eliminating the bipartite board because this, in her opinion—and these are my words—is the source of all evil in the WCB. Yet we know that all that means is that workers, who are the ones that the system was made for and the ones that it's meant to help, will lose the 50% representation they now have on the board, because we believed when we were in government, and we made the law, that workers ought to have 50% representation on that board, and the other 50% would be employer groups.

While I hear again—and I have great respect for my colleague who's the Labour critic in the Liberal Party. He can't shake the Liberal baggage of the red book. The red book talked about also eliminating that bipartite board. In fact, the Liberals offered up an amendment that talked about equal representation of employers and employees. Again, talk about a half-measure that tries to score in both camps and at the end of the day scores with no one. You want to be buddies with employers and buddy with the workers when sometimes the crunch is you've got to decide which side you're on. You never, ever do that properly, and I'm going to bell that cat every time I can.

2300

Further to that, the minister talked about this awful board that had these workers, not knowing their own



place, actually having the audacity to think that they should have a right to have half a say in the decision-making. Then we see the minister say that that bipartite board, those workers on there, that destroyed things so bad that the board couldn't function any more.

The reality is, that board came up with a financial improvement package that would have saved \$400 million a year that the worker representatives supported, and it would have brought down the unfunded liability to zero by the year 2014, all of it without doing serious damage to the benefits that workers are entitled to in this province. All of that, the minister says is part of the crisis.

That is such baloney. That is such baloney, and everybody who came in to represent workers to our committee who has day-to-day experience pointed that out time and time again. In fact, we had John Martin and Pearl MacKay, who were members of that board and refuted the rhetoric of the government that that was the case with this board. So again the facts tell such a different story from what the rhetoric of the government and the rhetoric of the minister would have you believe.

I do want to take a minute and I want to comment on the experience rating system, which may not mean a lot to the general public but it deserves to be raised here. This is a program that has the effect of giving more money back in rebates to employers—rebates to employers, out of the coffers of the WCB—than is paid out in claims to workers. Every employer group came in with almost verbatim language saying that this had to be preserved because this was an important part of the success, where there was success, in the WCB. Further to that, some corporations got more money back in WCB rebates than they made in outright corporate profits.

If you take this program, in the way the financial improvement package would have, and made it more fair, that's how you save the \$400 million; that's how you balance the unfunded liability.

That's also why the employer representatives had a great deal of difficulty with it, because this is one of the biggest ripoffs of a system that was geared to help working people that was ever created, and we know this government's not going to give marching orders to its new appointees to do anything about that. We'll watch that year after year.

Imagine the WCB paying out more in rebates than they do in claims; receiving more in rebates than they make in profit. That's a disgrace. Yet this government doesn't talk about that. They talk about worker fraud; they talk about unfunded liability; they talk about everything except the reality.

The reality, as I close, is this: The bargain in 1914 said that workers would give up the right to sue for the right to receive wages and benefits if they're hurt on the job. If the employers had been properly paying their full amount over the years, there wouldn't be this unfunded liability and there wouldn't be this opportunity for the Harris government to once again go after workers, go after the disabled, go after the most vulnerable and see that massive shift of wealth in our province move from those who don't have to those who already do. You all

ought to bloody well be ashamed of yourselves for not only supporting it but prancing around this province and being so bloody proud of it. It's a disgrace, and it's only step one. The minister has already said that this lays the foundation for the major overhaul. Boy, I'll bet injured workers can't wait to see that wonderful package of gifts coming from this government.

**The Speaker:** Further debate?

**Ms Shelley Martel (Sudbury East):** In the short time that I have to participate in this debate, I want to make a couple of comments; I want to respond directly to some of the comments that the minister made.

First is with respect to the unfunded liability. The minister said in her comments earlier this evening that the unfunded liability threatens the day-to-day operations of the board and that's why we need to act. Yet another example of this government trying to operate and use "crises" to justify all of the aggressive and very detrimental actions they are taking against working people in this province. She must be taking some lessons from her colleague the Minister of Education and Training, who has also been trying to engineer a crisis in education.

Nothing could be further from the truth, and we certainly heard that from a number of worker representatives who came to talk to us very clearly about the unfunded liability and what it actually represents. Let's talk a little bit about those facts.

The fact is that the biggest single increase in the unfunded liability occurred in 1984 under a Tory government. In that year, the unfunded liability rose from \$2.4 billion to over \$5.4 billion under a multi-stakeholder model, the same kind of model that this minister is interested in bringing back. We had a huge increase in that one single year, more than ever before in the history of the board, more than we have had since. Most of that has to do directly with the fact that we had a multi-stakeholder board. We also had a Conservative government in place at the time that was not interested in ensuring that employers paid what they were supposed to to cover the costs of workers' compensation. That's where the problem of the unfunded liability started, and that has resulted in the problem that we are trying to deal with today.

The unfunded liability is not a debt, and the minister has been trying to portray it that way in trying to give justification for the crises that she continues to talk about. The fact of the matter is that the WCB is not bankrupt; the WCB does not borrow money. The WCB at this point in time has \$6 billion in assets which they hold in the accident fund. The unfunded liability represents the present cost of the future payments which are owed to injured workers by employers at this time. But everyone in this House understands that tomorrow not all of those claims are going to be called, that tomorrow employers are not going to have to pay out all of those funds, and neither will the board. So the fact that the minister and this government continued through the hearings to talk about a crisis, to talk about this as a debt, really belied the truth. It is not that at all, and that should be made clear to the House this evening.

The WCB is actually better funded today, in 1995, than it was the last time this party was in power in the province of Ontario. In 1985, the ratio of assets to liabilities in the workers' compensation system under the Tory government was 31.8%. This year, the ratio of assets to liabilities is 37.4%. We are actually in a better position now, even with the size of the unfunded liability, than we were in 1985 when this group was last in power. I thought it was most unfortunate that the minister, when she made her comments on second reading, talked about the funding ratios in Saskatchewan and other provinces and how much better it was there, but didn't have the decency to talk about that same ratio when her party was last in power in the province, because that record is a dismal one.

If we're going to get serious about dealing with the unfunded liability, then perhaps this government should look seriously at dealing with employers who don't pay what they are supposed to to the Workers' Compensation board and hence don't pay to injured workers what they are obligated to pay under this act. The fact of the matter is, we have 55,000 employers in the province at this time who owe some \$430 million in outstanding penalties and outstanding assessments to the Workers' Compensation Board. That would go some small way in dealing with the unfunded liability.

2310

We have 20,000 employers in the province who are not registered, who are not paying their fair share, who expect other employers to carry the can for them when people get hurt on the job and in workplaces in the province. We would be far better off talking about that and our desire to get at that issue than we would be having Minister Jackson running around the province now getting input from employers whose answer to the problem is to cut workers' benefits by 5%.

Let's get at the real issue. The real issue is we're not in a debt situation, we're not in a crisis situation, as the minister and this government would like to portray. The WCB has \$6 billion in assets. It's not going bankrupt tomorrow. They don't have to borrow money. They can make the payments to injured workers that have to be paid. What we have to do is start to deal in a serious way with those employers who refuse to pay their fair share to this system.

I want to talk a little bit about the bipartite governance structure, because the minister again this evening talked about the fact that the bipartite structure was hampered, it was unable to make decisions, it failed to address the needs of the stakeholders. Let me just say again what she said on second reading: "Unfortunately, the bipartite, labour-versus-management approach has paralysed constructive decision-making on very crucial administrative, policy and financial issues facing the board."

Time and again, when management groups came before the committee and used almost the same wording that was in the remarks that the minister made here on second reading, I asked those employer groups to give me one single, concrete, solid example of how and when the board had been paralysed. You know what? Not one of those employer groups who came before us could give

me one single, solid, concrete example of when the board had been paralysed in their decision-making.

In fact, when we had two representatives from the board who happen to be on the labour side come before us, I also asked those same two individuals what their experience had been on the board. They said to us very clearly that, yes, like any other group there was give and take at the board, but that the minister's characterization of the board and it being paralysed was grossly unfair and was not a reflection of the reality that they had experienced whatsoever.

I thought it most unfair that time and again employers would come before the committee and not only talk about how the board was paralysed, but in fact insinuate that the people who were on the board, both the employer and the labour reps, were somehow not qualified to be there. Again and again they said that the reason they supported the multi-stakeholder approach was because it would allow qualified, competent people to be put on the board.

I think it's shameful that members of the business community would come forward and characterize their own business members who participated on that board in that way. The people who were participating, before they were summarily fired by the minister in November, were people who took their job seriously, who were competent, who were capable, who came to make good, financial, sound decisions on behalf of the Workers' Compensation Board and who wanted to help injured workers at the same time. I thought it was shameful that again and again somehow the work they did seemed to be the reason for which they were fired. I thought it most unfair that not only would they characterize it, but that the minister herself, in her debate in this House, would say the same, because it was far from the reality of what we heard from those who had personally sat on the board and had that experience.

Let's get to what this bill is all about, and the fact of the matter is the only reason we are dealing with Bill 15 at this time is because the minister needs some legislation to justify her breaking the law when she fired the board of directors in November. The fact of the matter is that under Bill 165 we put in place a law which said very clearly there would be a bipartite board of directors at the Workers' Compensation Board. The minister fired those folks and now we are dealing with the legislation which retroactively justifies that firing. It is nothing more and nothing less than that, a justification of something the minister already did, which was, in essence, to break the law that was already in place.

It's true that we are setting the stage for reform. I would use the term "reform" very loosely, because as far as I'm concerned, what Minister Jackson will bring in will not be reform at all; it will be an attack on injured workers. We will see injured workers' benefits decrease by 5%. We will see injured workers have to wait three days before they can collect benefits which are due them. We will see injured workers who will no longer be able to get compensation for repetitive strain injuries. I say it is shameful the way this government continues to attack injured workers, continues to attack women, continues to attack children, only in order to finance a big tax break



for the rich and famous who already have the most in the province of Ontario.

**The Speaker:** No further debate?

All those in favour of third reading of Bill 15?

**Hon Mr Runciman:** Mr Speaker, we have agreed to defer this vote.

*Interjection.*

**Hon Mr Runciman:** We have to go through the—okay.

**The Speaker:** All those in favour, say “aye.”

All those opposed, say “nay.”

In my opinion, the ayes have it.

It's a deferred vote until tomorrow before orders of the day.

#### JOB QUOTAS REPEAL ACT, 1995

#### LOI DE 1995 ABROGEANT

#### LE CONTINGEMENT EN MATIÈRE D'EMPLOI

Ms Mushinski moved third reading of the following bill:

Bill 8, An Act to repeal job quotas and to restore merit-based employment practices in Ontario / Projet de loi 8, Loi abrogeant le contingentement en matière d'emploi et rétablissant en Ontario les pratiques d'emploi fondées sur le mérite.

**Hon Marilyn Mushinski (Minister of Citizenship, Culture and Recreation):** This evening we begin third reading of Bill 8. This is an important day for Ontarians because when this bill is passed by the Legislature, job quotas will be gone and merit will be restored as the basis for equal opportunity in Ontario's workplaces.

As we begin third reading debate, I think we have a responsibility to be clear about why this government believes repealing quota laws to be so very important.

The previous government said that it brought in the legislation to fight workplace discrimination. The fact is that workplace discrimination is already illegal under the Human Rights Code.

This government has said many times, and I repeat again tonight, that it is opposed to discrimination of any kind. We have also said that while we believe the Human Rights Code is the right vehicle to protect Ontarians from discrimination, clearly we have to ensure that the body that enforces it, the Ontario Human Rights Commission, is effective. It is obvious that there is some way to go to meet this objective, and both the commission and my ministry are addressing this situation.

I think that for those of us who are committed to fighting discrimination, one of the most disturbing consequences of job quota legislation was that it polarized us as a province, and it polarized us at a time when it is absolutely essential that we come together and work as partners to strengthen our common future. That is why we believe repealing job quotas is an important step in rebuilding Ontario's economy. It will help us fulfil the commitment we made in the Common Sense Revolution to remove barriers to job creation and economic growth.

All employers, whether they're in the private, public or broader public sectors, are facing considerable challenges. Increasingly rapid change in technology is affecting every

aspect of their operations. Profound demographic shifts have altered the composition of the labour force and created a whole new consumer base. And many employers are competing in a global marketplace.

Given this complex, competitive and changing marketplace, and given a tough fiscal climate, employers know that a key objective in their strategy for success has to be to maximize the skills, talents and creativity of their workforces.

#### 2320

Selecting the best person for a job, a training opportunity or a promotion, is more essential than ever, and restoring a merit-based work environment is imperative.

We don't have to impose legislation on employers to make them address this issue. Employers already know that in order to gain an advantage in a competitive marketplace, all aspects of their operations, from the products and services they provide to the workforces they employ, will have to optimize the skills of a diverse industry.

Consequently, just as market testing for new products and services will encompass new consumers, so too will employment policies and practices have to encompass the new labour force.

An employer's ability to attract, recruit and retain the best people from a changing and diverse workforce is an important key to gaining a competitive edge, and equal opportunity will be an important tool in the management of that change.

We believe that the government's role should not be coercive but cooperative and constructive.

As an employer, we have a leadership role to play in our own workplaces, and we can play a facilitator's role in partnership with employers, employees and others who care about equal opportunity for all in the province of Ontario. I will shortly be releasing the framework for our equal opportunity plan.

As the members of the Legislature know, the government proposed an amendment to subsection 1(5) of Bill 8, which was adopted by the standing committee on general government.

The amendment, which is incorporated into the third reading bill, replaces the words “information collected from employees exclusively for the purpose of complying with part III of the Employment Equity Act, 1993,” with the words “information collected and compiled exclusively for the purpose of complying with section 10 of the Employment Equity Act, 1993.”

During the hearings on Bill 8, many employers and others who appeared before the standing committee recommended a change to Bill 8 to enable them to keep valuable information about their organizations.

We feel the amendment addresses this issue. Employers will now only have to destroy the data they collected and compiled exclusively for the purpose of complying with the workforce survey provisions of the Employment Equity Act. Other data collected under the act, such as information on workplace barriers gathered during an employer's review of employment policies and practices, may be retained.

This amendment will protect the confidentiality of workforce survey information provided to employers by their employees, while enabling employers to keep information that will support their efforts to remove barriers to equal opportunity.

This government was elected on a clear mandate to repeal job-quota legislation, and we brought forward a bill to do so. We have done this not only because it makes good business sense, but because it makes plain common sense.

When this bill is passed, our government will have given one more signal that Ontario is back in business. Employers will no longer have to spend considerable resources on the onerous administrative work that job-quota legislation required.

We have removed one factor that some investors saw as a deterrent to investment.

And employees will be able to feel that their individual achievements are what counts, and that they really do have a chance to make a contribution to this province to the best of their ability and their desire.

When this bill is passed, job quotas will be gone; merit will be restored in the workplace; employers will be spared the significant costs of complying with job-quota legislation; taxpayers will be spared the cost of a cumbersome bureaucracy, and people will be able to compete for jobs, promotions and training opportunities based on their qualifications and based on their abilities.

In addition, the Employment Equity Commission and the Employment Equity Tribunal will cease to exist. The provisions of the Police Services Act dealing with employment equity will be gone and the related police services regulation will be revoked. And finally, the sections of the Education Act pertaining to employment equity will be eliminated, as will all related job quota provisions.

The equal opportunity plan I will be outlining shortly recognizes the importance of merit-based workplace practices in all sectors of the province, including police services and education. When Bill 8 is passed, we will have turned an important corner in restoring fairness to workplaces in Ontario.

**The Speaker (Hon Allan K. McLean):** Further debate?

**Mrs Lyn McLeod (Leader of the Opposition):** It almost seems as though there is little left that can be said at this point, given the lateness of the hour, the little time remaining for this debate, my certainty that the members of the third party are anxious to participate and I would want to leave them some time to participate in this debate. But more even to the point, there seems to be little left that can be said, given what has been clear from the very beginning, and that is this government's determination to bring in this legislation, virtually unamended—not that there was a whole lot to amend to begin with.

The difficulty with this debate from the beginning has been the absolute absence of anything constructive to replace the employment equity legislation which is currently in place. The government has talked consistently, repeatedly, about its employment equity plan, but it has yet to produce any plan at all.

We had presenter after presenter in committee who came prepared to address their expectations of what the government might bring forward or should bring forward, but they couldn't comment in any specific way on the government's plan because there was no detail of what would actually be in the government's plan.

Days of committee, days of presentations of people concerned and wanting to present their views on what the government would do and they couldn't because nobody knows what the government is going to do. At one point, the parliamentary assistant indicated that the plan would be coming at about the same time as the legislation was passed.

We didn't think that that was an attempt to threaten us with not passing the legislation—the government wouldn't bring forward its plan if we didn't pass the legislation—because we knew that the government has a majority and there was not much question that this act was going to be passed, whatever the opposition or presenters to the committee thought about it.

So we really wondered at the hesitation to present the plan, whether the government really had any plan at all, whether it knows what it's going to do, whether the parliamentary assistant was simply putting forward a rather ambiguous date to respond to the questions that were being consistently thrown to the government as to when they were going to present this plan they kept talking about, and I find tonight the minister is still staying shortly they will be present their plan. No wonder that there is considerable frustration among all those who are genuinely concerned about the future and the progress of employment equity in this province.

I believe it remains absolutely inexcusable that this legislation should ever have been brought forward when it does nothing but undo and puts absolutely nothing in its place.

We heard in committee from many who supported the legislation currently in place and asked that it be left alone. The government clearly was not prepared to do that. We also heard from a number of others who disagreed with the previous government's approach and who support withdrawal of the NDP Bill 79, but there were few presenters, if any, who believed that the government should waive all responsibility for ensuring equity in the workplace. There were extensive recommendations for the government to consider in presenting and implementing its employment equity plans, and so now we will have to watch and see how thoroughly these proposals are considered in any plan of action that this government may bring forward.

The common theme linking the opponents of Bill 79, the NDP's approach, was a disagreement with a quota approach. I recognize that this is a source of frustration for the NDP who quite rightly suggest that their legislation does not specifically mandate the implementation of arbitrarily imposed quotas. If it is a quota approach, in other words it's not the extreme of a quota approach, and the NDP would argue that any law which does not provide for mandatory quotas is not a quota approach. Just in case you don't get full opportunity to participate in the debate, I wanted to be sure your position was clarified.



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But unfortunately the development and the implementation of laws is seldom so clear-cut, and I truly don't believe that in the implementation of Bill 79, the NDP's legislation, it would have been possible to avoid both the perception and the reality that the numerical goals contained in the required plans would become quotas.

The numerical goals become a standard by which progress is judged and potentially under which penalties for non-compliance could be imposed and they focus both the attention and the energy on the angle of the process, leaving less effort directed at creating the conditions for truly equal access to opportunities for hiring and promotion.

I believe that the focus of employment equity plans, employment equity efforts, must be on removing barriers to opportunity and that the primary goal of government should not be to police the attainment of numerical goals but to work with the employer and employees in identifying and addressing systemic barriers.

It is because the focus of the plans to be developed and implemented under Bill 79 is on numerical end goals that my caucus opposed that bill. We do not, however, believe that that legislation needed to be withdrawn in order to ensure that the merit principle was clearly in place and that quotas were not to become a reality.

This government has determined that there should be no legislation on employment equity at all and so the government neither attempts to amend the current nor proposes new legislation of its own.

On this issue, presenters in our very brief period of committee hearings were clearly divided. Many of those who have worked on employment equity issues for years believe that without legislation there will be little or no progress. Others spoke against Bill 79, but still wanted the government to play an active role in ensuring that we continue to make progress and seemed to feel that maybe you couldn't put legislation in place that did not have some form of numerical goals or quotas.

I believe we do need legislation. I believe that this government could have brought forward legislation that would set out the requirement for employment equity plans, plans that would identify and address barriers without necessitating the development of numerical goals. I believe that numerical data could be kept as a way of measuring progress without putting a specific end goal in place.

People might ask whether an approach such as that would work. I think it would have to be tried to know that and, to try it, it would require the commitment of government to provide support for the success and the education of employers to ensure that they know why both plans and progress are important, but that approach would avoid the dangers of a numerical target focus.

Now some might argue—perhaps my colleagues in the third party—if you're not going to have goals and penalties for non-achievement of the goals, why would you have legislation at all? For me, the crux of this debate is that we need legislation as much to place an onus on government as on the employer because govern-

ment has a responsibility to abide by and enforce its own legislation.

In an approach which deals first and foremost with the identification of barriers it's very easy for government to have all the good intentions, intentions which they may put forward in a plan that we have yet to see, stated good intentions and yet do absolutely nothing. But if there is legislation, then that legislation requires that the government itself show progress in implementing what it has set out in law as its intent.

We heard from many people who are genuinely concerned about the future of employment equity. They are people whom the member for Halton Centre referred to as those who have a duplicity of interest, whatever that means, but they are people who have spent years and tremendous effort in forwarding the cause of employment equity and who believe that this act, which simply removes any legislation, will be an enormous setback. And it will be a setback even if government appears to be well intentioned in bringing forward a plan, if this government does not back up its plans with a proactive effort to address the barriers.

I think that effort is going to have to include more than education which government members kept stressing in committee as if education would be the only focus of the government's plan. I don't disagree that education of employers is important and, in fact, that's a first focus in helping employers develop their plans, but I also believe that there's going to be a need for direct assistance from this government if identified barriers are going to be addressed. I suggest to the government as one example—perhaps it's the most obvious—that employers cannot carry out physical accommodation changes without financial assistance. There are other places where the government has a direct responsibility for providing programs and services that deal with barriers: recertification, for example, language training. Some areas for government involvement are a little more indirect but none the less essential.

I wonder, for example, how can a government claim that it intends to address the issues of employment equity when it cuts back on support for child care? Without adequate and affordable child care, women will never achieve equal opportunity to participate.

I wonder how committed this particular government will be to putting any resources at all into the achievement of equal opportunity by addressing real barriers. I am afraid that we are going to see very little but a statement of concern from the government, with no commitment at all that might involve cost.

So the onus of implementing any plan that the government might bring forward is going to fall to employers, both in the public and the private sector. Quite frankly, I think there is more hope for progress in the private sector, where a clear case can be made for the economic benefits of employment equity and the economic bottom line will serve as some incentive for private sector employers to continue with employment equity planning. But I don't think, even with that economic bottom line making a strong case for employment equity, that it will be enough to encourage the kind of expensive physical

retrofits that would be needed to accommodate the physically disabled. I am afraid that without active government support there will be very little progress in equal opportunity for the physically disabled.

In the public sector, where we have seen the cost cutting, the cost restraints they're facing, the staff reductions that they're facing, employment equity is going to be on a back burner for the very foreseeable future unless this government, provincially, has a focus on dealing with systemic problems and barriers.

That brings me to the issue of the Human Rights Commission. Many have held out the Human Rights Commission as the answer to all the concerns. "Don't worry. You're worried about employment equity not going ahead, you're worrying about barriers, you're worrying about the lack of legislation. No need to worry, because the Human Rights Commission can address these problems."

There is no question that every presenter to the committee acknowledged that the Human Rights Commission needs to be strengthened if it is even going to deal effectively with its current scope of activities. But I think it is a very real question as to whether the Human Rights Commission, even if it is given additional resources, can ever deal effectively with systemic discrimination. I say to the minister that I don't believe it can.

I think if the Human Rights Commission ever did start ordering the government, for example, to provide language training, which is often a systemic barrier, or to provide accessible busing, which is clearly a barrier for the physically disabled, or to provide child care, the lack of which is clearly a barrier for equality and opportunity for women in the workplace, I suspect that the ministers of Finance and the Management Board would very quickly start bringing in legislation that would limit the scope of the Human Rights Commission mandate very, very quickly.

I suggest to the minister that it is an illusion to think that because discrimination is illegal, employment equity legislation is unnecessary. As the minister said in presenting her bill and as I heard her say again tonight, that is simply an illusion. Discrimination has been illegal for a very long time, but the Human Rights Commission has not had any meaningful role in combating anything but overt cases of individual discrimination, and it has been hard pressed to meet the demands in that area. There is no question that the role of the Human Rights Commission is important and that its role must be strengthened, but it is not sufficient as a commitment to ensuring that employment equity, equal opportunity in the workplace, is actually going to be in place.

As several presenters said to our committee, a process that is driven by individual complaints is very difficult and very unfair, and surely the emphasis should be on preventing discrimination and removing systemic discrimination in the first place.

I clearly share the pessimism of those who believe that Bill 8, presented solely as a repeal measure, will be a setback for employment equity. But I know that neither opposition views nor the concerns that have been

expressed by so many presenters to our committee will sway this government from its intent, nor will they persuade this government to take a positive and proactive approach in the future, despite all the assurances of concern that the Conservative committee members expressed as the presentations were made.

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I was amazed, and I have to confess truly disturbed, even recognizing the government's determination to pass its legislation—we knew that was a given going into this committee—disturbed that the government was absolutely unwilling to move even on the one amendment that was technically possible and that virtually every presenter to the committee without exception, whether that presenter was for the bill or against the bill, agreed should be changed. I refer, of course, to subsection 1(5), which requires the destruction of data collected exclusively for the purpose of implementing Bill 79.

**Mr John Gerretsen (Kingston and The Islands):** Give us a reason.

**Mrs McLeod:** Exactly; as my colleague says, give us a reason. We asked for that time and time again. Presenter after presenter said, "Why is this necessary?" It serves absolutely no purpose at all. It is purely destructive, to the point of being purely vindictive.

Conservative committee members claimed, when they were repeatedly asked this question, that the data had to be destroyed because the reporting was inaccurate and the data were therefore faulty. But surely employers, those same employers that we are urged to have faith in, and indeed we do, can judge the usefulness of the data for themselves. Why do they need Big Brother government telling them they can't use it even if it's helpful in carrying forward voluntary employment equity plans? There is protection of confidentiality under the freedom of information act; there is no requirement to maintain the data if the employer wants to destroy them, so why force an employer who wants to use this information to destroy it and then have to engage in a costly exercise of collecting it all over again?

The fact that the data collected before Bill 79 do not have to be destroyed, which was the assurance often provided by the parliamentary assistant, is really not a satisfactory response to this concern. As it was pointed out, there are many employers who waited until the bill was in place before they collected their data, but they fully intend to proceed with employment equity plans on their own and they simply would like to use the data they've collected.

The refusal to withdraw this subsection of the act I believe carries a very ominous message about this government's future commitment to even voluntary employment equity programs, and that is a great concern.

There are two other sections to the act—and I will be brief in respect of the third party's desire to participate in this debate—which add to the sweeping negativity and the destructiveness of this bill: first, the repeal of all references of employment equity in the Education Act removing the minister's ability, just his ability, to direct boards of education to develop employment equity plans.



It seems totally unnecessary, again. This was permissive legislation. Many boards are well along in developing their employment equity plans, and we have to wonder, if the minister no longer has the authority to require such plans, is it still permissible for school boards to develop them?

If the minister needed permission under the Education Act to require plans, it's likely that the boards also need permission to put them in place. Does this mean that any voluntary plans that are put in place by school boards could be illegal unless there are new amendments to the Education Act? Somehow they missed that in the omnibus bill.

I wonder why we have to go through this, since the minister simply could have used his power under the act to say that boards may or may not put plans in place if such was the government's great need, to make sure that these plans remained voluntary.

Lastly, on the issue of repealing the employment equity provisions in the Police Services Act: I recognize these were controversial, I understand that they have created resentment, but I think we must recognize that they did achieve a more equitable and a more representative police force that is already achieved, and everyone agrees, including the police officers who made presentations to us, that this is in the end a desirable thing.

That leads me back to the central question of the employment equity debate: What is the best way to achieve the goal of a truly equal-opportunity workplace in different settings across this province? This is a question of great debate, it is often a divisive, often a polarized debate, and no justice has been done to the debate in the consideration of this bill, because there is no proposal for a better way; there is only a government saying: "The past way was wrong. We are going to wipe it out totally and beyond retrieval. We want not a trace of the old approach." Yet nothing is going to be put in its place, and you have to wonder why the rush.

It was clear the government was going to bring in changes. It was part of their campaign commitment. We knew they were going to go ahead. No employers were going to be pushed to move forward with their plans until it was clear what the government would do. But with the repeal of Bill 79 and the absence of any plan from this government, we now have only limbo and some very specific setbacks.

As we look towards the future, whatever future there may be after the passage of this undoing bill, it is important to remember that, as one presenter said, if the playing field is not level, an individual cannot be successful even with merit and hard work. The playing field is not level and we are not yet very good at seeing the unevenness, the barriers.

As another presenter said, we simply must some day have a system that allows us to see the can'ts, and we must tonight remind the government that even after it brings in its plan, there must be some mechanism to ensure that action is taken not only by employers, but by this government. We must see some commitment, we must see some action, or there will be no progress towards ensuring that there is a truly equal opportunity to

participate in the workplaces of Ontario. We will be watching very closely.

**Mr Rosario Marchese (Fort York):** It's with a great deal of sadness and anger that I speak to an act to affirm systemic discrimination in Ontario. I reflect the sadness and anger of three quarters if not more of the deputants who came in front of our committee. The minister who spoke on this bill says the government should be cooperative and constructive in working with the various partners. During the committee and during these debates, some of her members said our bill was draconian, coercive, and one member even said immoral.

It's interesting how they can say this about Bill 79 but they can't say the same for Bill 26, which does the very things they attack. Parts of this bill will direct doctors to a certain place to practise in the north, and not in Toronto. This bill says, "You shall go to the north to practise, not in Toronto."

The minister says the government's role should be cooperative and constructive, yet they take the imperial position, with respect to doctors, as one instance, where they say: "We will not discuss this with you. You shall go where we send you." Interesting, isn't it, how you can easily contradict yourselves, so easily that one act is an immoral one, that one act is coercive; that this act, with respect to what you're doing to your doctors, is not coercive, is not immoral and is not draconian? It is amazing how the bunch of you, the whole lot of you, can contradict your own political philosophy with such ease. But it won't surprise me for very long. I'm witnessing much of what you stand for every day in this House.

Anyway, with respect to Bill 8, what we've known for a long time—study after study has shown and proven incontrovertibly that most women are not treated equally by employers and that immigrants and racial minorities are on average more highly educated than the rest of the population, but suffer higher rates of underemployment and unemployment. The status of qualified disabled persons remains embarrassingly low and aboriginal people get the crumbs at best. That's what we have. That's the reality that we have in Ontario.

That's why we introduced Bill 79, to redress the inequalities that exist in society for these designated groups. Your bill brings us right back to where we started.

I want to refer you to a submission by a deputant representing McLarren Consulting Group, who said a number of interesting things. He said:

"Typically, our findings confirm that merit does not govern employment decisions as intended, but neither employer nor employee fully realizes this.

"Decisions based on other than merit are often the result of systemic discrimination."

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But I'm sure the minister doesn't want to hear that. She's busy talking to another colleague. She's already made her remarks. They're infallible, so they don't need to listen. I understand that.

This consulting firm continues and says, "Here are some examples of what we find when we examine the

effectiveness of management systems and practices.” This is the current system, Minister. Thank you for listening.

On recruitment they say:

“The vast majority of candidates to be interviewed for open positions are chosen from unsolicited résumés, employee referrals and walk-in applications. Many highly qualified people, often those from communities of people with disabilities, aboriginals and some visible minorities, have become so discouraged by seeing the ease with which less-qualified candidates than themselves obtain jobs that they have lost the self-esteem and perseverance required to promote themselves effectively in the job market.”

On the issue of selection they say:

“After a list of candidates is identified for a selection process, they are usually screened first for technical capability. Once a short list of equally qualified candidates has been identified, selection is often made based on predictive behaviour considerations. In other words, the person who gets the job is the person who the selector feels would fit best and with whom other employees would feel most comfortable.”

That’s the way we do hire. I’m not sure whether the minister heard that on the issue of recruitment and selection, but that’s what takes place in the workplace—not based on what you think, not based on what you say, but based on what actually happens.

On the issue of work assignments they say:

“These are often given based on stereotypical notions as to what groups perform best in which areas. Sales, marketing and key production jobs—those that produce revenues for the company—often go to white males disproportionately. Information, administration and support jobs that do not produce revenues often go to others disproportionately.

“The former assignments place employees in key lines of progression, while the latter lead to limited progression, or ghettos.”

That’s the reality, Minister. I want to send this to you because I think you should have it. I’m not sure whether your members on the other side will learn from this, but this is the reality. It saddens me and angers me when you speak the things that you speak in this House about Bill 79 when they’re so utterly, utterly untrue. The reality is what these designated people experience in the workplace, and you will not correct that. You will in fact bring us back.

On the issue of promotions they say:

“Promotions are intended to be given to those with the best qualifications, performance records and other measures of merit. Our experience has shown that this is too often not the case. A major factor in progression is effective networking, self-promotion, and other factors totally unrelated to merit.”

That’s what this consulting group has to say.

“In terms of selecting and promoting people, this pressure often translates into choosing those who afford the best comfort and fit within the existing organization.”

That is what we’re talking about when you speak of merit. That’s what happens in the workplace—not based on what you think but based on a different reality out there.

On the issue of equal opportunity, because that’s the answer that you have to the whole issue of getting rid of Bill 79, promoting an equal opportunity plan which we haven’t seen, I can guarantee, and I’ve guaranteed to the deputants, that when we see it, it will not solve it, because what it will contain is a whole lot of platitudes and nothing more.

Judge Rosalie Abella, in her report of the Commission of Inquiry on Equality in Employment, which is now regarded internationally as one of the few exemplary treatises on the subject, said:

“Education has been the classic crutch upon which we lean in the hopes of coaxing change in prejudicial attitudes. But education is an unreliable agent, glacially slow in movement and impact, and often completely ineffective in the face of intractable views. It promises no immediate relief despite the immediacy of the injustice....

“It’s difficult to see how a voluntary approach, that is, an approach—which you promote—“that does not include an effective enforcement component, will substantially improve employment opportunities for women, native people, disabled persons, or visible minorities. Given the seriousness and apparent intractability of employment discrimination, it’s unrealistic and somewhat ingenuous to rely on there being sufficient public goodwill to fuel a voluntary program.”

The very stuff you people speak about. She told us this 10 years ago, and it’s equally valid today.

On the issue of human rights law as a remedy, Judge Abella says the following and, Minister, I urge you to listen to this:

“The traditional Human Rights Commission model...is increasingly under attack for its statutory inadequacy to respond to the magnitude of the problem. Resolving discrimination caused by malevolent intent on a case-by-case basis puts human rights commissions in the position of stamping out brushfires when the urgency is in the incendiary potential of the whole forest.”

The minister laughs so smugly it annoys me; it annoys me a great deal. Judge Abella said this 10 years ago. The reality is the same. This minister and this government are bringing us back to the reality of 10 years ago, where inequality was prevalent, and it will continue under their plan. They say fine words. They say, “We will have zero tolerance for discrimination.” They say education is the key. They say it should be a voluntary program. Judge Abella, 10 years ago, pointed out to these fine people that it doesn’t work, it has not worked.

The Human Rights Commission, and the code on which they rely, does not work because it deals with individual cases when brought to the commission by individuals. It does not deal with systemic discrimination. They know that. They also will not put one penny into the Human Rights Commission or the Human Rights Code to make sure that individual cases are dealt with, let alone beginning to deal with systemic discrimination.



What we were dealing with in Bill 79 was systemic discrimination, not individual discrimination. Even there, the Human Rights Commission fails us. That's all this government is relying on, the Human Rights Code and the commission. They say they will reform it somehow. They can't. They will not put in one cent, and without putting any cents into it, they cannot even deal with individual cases effectively. That's what we're relying on with this government.

I have one more moment. I would have liked to talk about all the other things they didn't agree with in our attempt to make amendments which they effectively killed. But what this government is doing and what we are witnessing is a deconstruction of everything that is positive in this province. These folks on the other side are destroying, they're not building.

If they wanted to deal with job quotas, a good lawyer, a person with a disability, said, "If you wanted to deal with job quotas, all you had to do was put it in Bill 79 and say, 'There shall be no job quotas.'" But you didn't want to do that, did you? If you wanted to deal with merit—and you said merit was gone because of our bill—you could have said, "Merit will be a key as it relates to Bill 79." They could have said that, but they didn't. They didn't want to do that.

We are witnessing the deconstruction of our social order, the deconstruction of society as we know it. They are bringing us back. That saddens me and angers me, as it saddened and angered the whole lot of people who came in front of our committee to attack this Bill 8, which repeals everything that was positive about what we have done. What more can we say of a government that's bringing us down, that's bringing us all down, except to say that I hope that the people of Ontario will fight back?

**The Speaker:** If there's no further debate, we'll put the question.

Mrs Mushinski has moved third reading of Bill 8. Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed will say "nay."

In my opinion, the ayes have it.

We will have a vote tomorrow, just after routine proceedings.

It being 12 of the clock, this House stands adjourned until 1:30 of the clock tomorrow.

*The House adjourned at 2400.*

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**Assemblée législative  
de l'Ontario**

Première session, 36<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

**Journal  
des débats  
(Hansard)**

**Wednesday 13 December 1995**

**Mercredi 13 décembre 1995**



Speaker  
Honourable Allan K. McLean

Président  
L'honorable Allan K. McLean

Clerk  
Claude L. DesRosiers

Greffier  
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# LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 13 December 1995

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 13 décembre 1995

*The House met at 1332.*

*Prayers.*

## MEMBERS' STATEMENTS AUTOMOBILE INSURANCE

**Mr Mario Sergio (Yorkview):** Yesterday I introduced to this House a private member's bill entitled the Automobile Insurance Act, 1995. This bill seeks to provide more equitable treatment by insurers of certain applicants for automobile insurance. This bill stipulates that if for any reason it appears that an applicant for insurance may only obtain it through the Facility Association, established under the Compulsory Automobile Insurance Act, the applicant may ask the Ontario Insurance Commission to review the matter.

As it stands today, an experienced driver who fails to show proof of insurance for 12 out of the previous 24 months can be hit with an astronomical rate increase. This means that if someone has left the country for 12 months, has decided not to drive for a year, or simply can't afford insurance premiums, they will be lumped into the Facility Association, and in real terms insurance rates can double and in some instances can triple, making auto insurance financially inaccessible for a lot of people who can least afford it.

This bill sets out to identify unfairness within the Facility Association process and in turn rectify the problem with a formalized legislative amendment. Hopefully, this bill will be of assistance to the numerous people I have spoken with and the countless others who have been affected by this inequity.

## MINISTRY OF NATURAL RESOURCES OFFICE

**Mr Howard Hampton (Rainy River):** I rise to make a statement on behalf of the member for Nickel Belt and his constituents in the small community of Gogama.

The people of Gogama are worried about the future of their community. Rumours are circulating that the Ministry of Natural Resources is considering closing or severely reducing the Gogama area MNR office.

People in the community are so concerned that more than a hundred, a substantial number in a community of just 300 families, have taken the time to write to the minister to make sure he understands how important the Gogama area office is to the community.

The local MNR office employs 31 permanent and 25 seasonal people, which represents approximately 35% of the total employment within a 75-kilometre radius of Gogama. Closing this office would take almost 1.5 million payroll dollars out of the local economy.

The Gogama area office looks after the natural resources in an area of 7,200 square kilometres; the next-closest office, in Timmins, is an hour and a half away. The local economy is almost exclusively dependent on

forestry and tourism. If you take away the people who are on the ground, the people who know the area's resources best, the people who can work with the forest companies and the tourist operators, you are threatening the long-term sustainability of Gogama's economy.

I am conveying these letters to the minister today, and I ask him to respond to the people of Gogama and assure them that their office will not be closed or reduced.

## ELSIE KNOTT

**Mr R. Gary Stewart (Peterborough):** I rise to pay tribute to a very special person in my riding who recently passed away. Elsie Knott, of the Curve Lake First Nations reserve, Canada's first elected female aboriginal chief, was laid to rest on December 6, 1995, at the age of 73.

Elsie was described as a community leader, a friend and a mother when more than 200 people packed the Curve Lake Community Church to say goodbye, the very same church which Elsie was instrumental in building.

She was the founding member of the Union of Ontario Indians, and was first elected as Curve Lake's chief in 1953 and served through to 1960, and again from 1970 to 1976.

Elsie lived every day for her family and her community. She organized everything from boy scouts and girl guides to baseball tournaments and church services for seniors. She was a Sunday school teacher and later became church superintendent, all functions that have united and strengthened the entire community. She owned and operated the Tee Pee Trading Post and, until a year ago, was Curve Lake's postmistress.

Elsie will be missed by the entire Canadian native community, but more importantly, she will be missed by her family and friends in her local community, a community which has truly benefitted from her hard work and love of life.

Today, I am honoured to pay tribute to Elsie Knott of Curve Lake, a truly remarkable individual.

## HIGHWAY 403

**Mr Dominic Agostino (Hamilton East):** I rise on behalf of a number of parents and students of Ancaster high school, in the town of Ancaster in the region of Hamilton-Wentworth, in regard to the completion of Highway 403 from Ancaster to Brantford.

The funding and the commitment had been given by the previous government for this highway and work had commenced on it; bridges and overpasses had been built. It is essential to the economic development of the area between Ancaster and Brantford. It is also essential to the safety of students who currently travel Highway 2 every single day back and forth from school.



We have a very busy highway where buses literally have to stop three, four and five times on that stretch to let off students. There was a serious accident a couple of months ago. Luckily, the bus had only two students in it; they were sitting at the front when a truck rear-ended the bus. It could have been an absolute tragedy had there been more students on the bus on that particular day.

The students have organized a drive, and parents and residents of the area are concerned as a result of this government's delaying tactics on this highway. A project that was to be completed within two years, that had been announced by the previous government, has now been estimated to be at least five years away from completion.

On behalf of those residents, I urge the Minister of Transportation and this government to get on with it, live up to its commitment for the Highway 403 extension from Ancaster to Brantford and take into consideration the safety factors before it's too late and a tragedy occurs.

1340

#### MATHESON AGRICULTURAL OFFICE

**Mr Gilles Bisson (Cochrane South):** I rise today to raise the concerns of the people of Matheson. Matheson, as you may know, is the home of the Ag and Food office for the northeast region around the area of Matheson. Unfortunately, it is one of the offices that has been scheduled to close down its facilities.

I'm here to say that office serves many farms in the area of Matheson and the farmers in the area require that office to make sure they're able to do the work they need to do to make their farms prosperous. The agricultural industry is one of the key sectors of the Matheson area, and by closing down that office we might be putting in jeopardy the farming sector.

I want to say to the minister, because I've had this discussion with him already, that the people of Matheson want to be consulted on this proposed closure. I say directly to the minister that the people of Matheson are responsible individuals who are prepared to sit down with the minister and me to enter into discussions about how we can possibly avert the closing of that office.

I spoke as recently as last night with the minister, and I'm glad to say he's agreed to meet with me to discuss the co-location as one option for possibly not having to close it down—no promises made, but at least he's willing to listen and discuss it—or to take a look at a possible restructuring of the Ag and Food offices in the area so we make sure the farmers in the area will not go unheard and will not lose those services.

I say to the minister, help us help you keep your election commitment of not cutting the budget of services for the agricultural industry. I look forward to working with you on this project.

#### SPECIAL CARE NURSERY

**Mr Dan Newman (Scarborough Centre):** I rise today to inform the House of a story of compassion, caring, dedication and skill that everyone in this great province can feel proud of as we enter the season of joy and giving. Let me say how proud I am to say that this story is one that comes out of Scarborough, whose residents and professionals are among the most caring in Ontario.

On November 26, nine-year-old Andrew Blaney discovered baby Anne, just two hours old, abandoned in a cardboard box and left in the freezing snow. Her body temperature had dropped so low that she was near death. Miraculously, however, baby Anne will be fine with the help of a great deal of skill and caring.

Baby Anne was brought to Scarborough General Hospital's special-care nursery area, which immediately took baby Anne in and nursed her back to life with a great deal of tender, loving care.

The special-care nursery area cares for about 10 infants, on average, with special needs, some from the time they are born until a couple of months of age. The nursery will soon celebrate 40 years of dedication to young infants in Scarborough. Had there been no special-care nursery in Scarborough, this child may have perished. As it was, baby Anne not only survived but flourished and I happy to report that a home and foster parent have been found for her just in time for Christmas.

I'd like to ask that every member of this Legislature join me in sending our sincere thanks and congratulations on a job very well done to Jane Kenny and Bev St Marten, the managers of nursing practice, and their 11 full-time staff and 10 part-time staff at Scarborough General Hospital's special-care nursery.

HARRY P. CAVERS

**Mr James J. Bradley (St Catharines):** On Monday, December 11, the family, friends and colleagues of Harry P. Cavers paid tribute to him at his funeral service in St Catharines.

Harry was an individual who was known for his service and fairness throughout his lifetime as a judge, member of Parliament and private citizen.

When our country was at war and Harry was practising law in St Catharines, he enlisted in the Royal Canadian Naval Volunteer Reserve, returning to his practice at the conclusion of hostilities.

As a member of the firm of Cavers, Chown and Cairns, he was a highly regarded member of the legal profession. He continued to be held in high respect as a county court judge for 15 years and, subsequently, as a supernumerary judge until 1984.

Harry Cavers's desire to serve prompted him to seek public office in 1949 when he was elected as the member of Parliament for Lincoln, serving until 1957. His personal popularity and reputation were major factors in his election as the first Liberal in Lincoln in five decades.

Harry was a member of several organizations, including the Lincoln County Law Society, the Masonic Lodge, the Royal Canadian Legion and the St Catharines Kiwanis Club, of which he was a president and lifetime member.

I am honoured, on behalf of the people of St Catharines, to pay tribute to Harry P. Cavers in this assembly, and to extend to his daughter, son-in-law and grandchildren the sympathy of all who knew him.

We will all remember Harry Cavers as a man of intelligence, moderation, dedication and compassion, and one who placed his community and his fellow citizens ahead of himself.

## UNIVERSITY FINANCING

**Mr Tony Martin (Sault Ste Marie):** I was visited in my office today by a couple of students from Humber College raising concerns on behalf of their fellow students. Chris Popp and Kim Showers, who are in the gallery here, both second-year students in the social work program at that college, are concerned about the impact rising tuition fees will have on them and their fellow students.

They speak, I know, on behalf of the students in my community at Sault College and Algoma University and those who will come, as they look at the tremendous debt they will incur simply to get an education in this province, due to the insensitive decisions being made by this government across the way as it raises the cost of everything in this province and makes nothing achievable for those who are not rich and well-off.

The other concern they raised that's even more disconcerting is the anxiety they feel as they look towards the future. They're in social work, and they were looking forward to jobs in the public sector where they could actually use the skills they've learned and help some people. But now they see those jobs disappearing, and they're concerned that there's nothing to take their place. They hear the government talking about 725,000 new jobs being created, but there's nothing out there to show where that's going to come from or whether those jobs are going to be part-time, minimum wage and no benefits.

They tell me that all the students they interact with have the same concerns. They want this government to take—

**The Speaker (Hon Allan K. McLean):** The member's time has expired.

THECLA JORDAN

**Mr David Turnbull (York Mills):** On Monday, the citizens of Lanark-Renfrew lost a good friend and community worker.

Thecla Jordan, wife of Leo Jordan, deputy whip to the government, was born and raised in Smiths Falls, the third of four daughters born to Thomas and Annie Kelley.

Originally an elementary school teacher, Thecla worked at the Smiths Falls Public Library for many years.

For Thecla, family always came first and was her main focus. She had the privilege of seeing all her five children graduate from university and get married.

Thecla Jordan served her community, her church and, most importantly, her family with great energy and distinction.

Those closest to the family knew her best as Leo's right hand, his strength and greatest supporter. When he was hospitalized during the recent election, she was tireless in campaigning for him. The victory of election night was equally attributed to both Leo and Thecla.

The citizens of Lanark-Renfrew were used to seeing their MPP and his wife always together, an unbeatable team.

We are all saddened by the loss of this wonderful human being. I extend to Leo and their children and

grandchildren our deepest sympathy at this difficult time. Her spirit will live forever through her five children and nine grandchildren, who were her greatest joy.

**Mr Bob Rae (York South):** Mr Speaker, if you would permit, I would simply like to say on behalf of our party, and I'm sure members of the Liberal Party would like to say as well, that our hearts go out to Leo on this occasion. We were all deeply saddened to hear the news of Thecla's passing on Monday. I'm sure the House would want all of us to be included in the very fitting, eloquent words of the member for York Mills, who just spoke, if we could just add our very deep feelings. I know we'll all be taking time to pay tribute in our own way, but I'm sure we'd want on this occasion to join in sending our very best to Leo Jordan.

**Mr James J. Bradley (St Catharines):** On behalf of the Liberal Party, I would like to extend similar sympathy to Leo and to the family. This is always a difficult time. Public life is difficult for all of us, and people who have a supportive spouse and family are very much favoured.

I remember hearing of Leo's personal health problems, and I know his family and his wife were very supportive of him at that time and that meant so very much to him.

When we are in this assembly and consumed very much in the events of the day and the happenings of the assembly, we often place those foremost in our minds. When someone loses someone very close, as Leo has, I think it makes all of us pause to determine what is most important in our lives. I'm sure to Leo and the family and to all of us who are friends of Leo and the family, the events of this week were very much more important, although much sadder, than the events that take place in this House and in the surrounding area in terms of politics. It is something that transcends politics, and our sympathy and best wishes go to Leo and the family.

**The Speaker (Hon Allan K. McLean):** I thank all honourable members for their kind words. I, on behalf of all members of this House, send our sympathy to Leo and his family.

1350

#### STATEMENTS BY THE MINISTRY AND RESPONSES LEGAL AID

**Hon Charles Harnick (Attorney General, minister responsible for native affairs):** I'm pleased to tell members of the House today that the government has accepted the Law Society of Upper Canada's proposals to downsize the Ontario legal aid plan to bring it within budget.

My ministry has received Mr Stanley Beck's review of the financial and policy implications of the law society's cost-cutting proposals to the Ontario legal aid plan. Mr Beck, who is in the members' gallery today, is a former dean of the Osgoode Hall Law School and former chair of the Ontario Securities Commission who was asked by the government to study the delivery of legal aid this past September.

Mr Beck concluded that the measures to be implemented by the law society, subject to careful monitoring procedures, would enable the legal aid plan to operate



within its previously agreed-to budget. This means that the law society will now be in a position to pay outstanding legal aid accounts to service providers within the time frames originally agreed to by the law society and the previous government in a memorandum of understanding.

The law society is now taking the steps required to bring the legal aid plan within its means. These reforms represent a significant fiscal and administrative restructuring of the delivery of legal aid in Ontario. The measures are designed to bring the plan's expenditures within the funding agreement reached between the law society and the previous government and guaranteed by this government.

The law society's downsizing plan, including those changes approved in August and October, contains among other measures the following: criminal and family law service will be reduced by setting priorities; there will be a \$25 application fee for clients; the fees paid to lawyers will be reduced by an average of 22%, for a total reduction of \$75 million over the life of the funding agreement; the number of certificates issued will be reduced by approximately one third, from 155,000 in 1995-96 to an annual maximum of 100,000; an independent monitor will be appointed by the ministry to track the cost control program, ensuring a much greater degree of accountability to the taxpayers of Ontario. The law society has agreed to make further reductions should the monitor indicate overspending of the plan.

The law society estimates, as well as Mr Beck, who concurs, that these measures will reduce the cost of legal aid by over \$275 million in the next three years. Had the government not taken steps to ensure that the legal aid plan operated within budget, the plan would have been facing arrears in the amount of \$275 million by 1998-99. This would be unacceptable to the taxpayers of Ontario, who fund legal aid.

Taxpayers will now have a legal aid plan that is on target to meet its budget and that will have proper monthly monitoring procedures.

The days of the province issuing a blank cheque for legal aid are over. These measures should end the uncertainty facing legal aid clients and service providers and bring some stability back to the system.

Officials of the Ministry of the Attorney General will be meeting with the law society to discuss the implementation of these measures.

Finally, I wish to again thank Mr Stanley Beck for his professional assistance throughout this matter.

#### SALE OF LAND

**Hon David Johnson (Chair of the Management Board of Cabinet):** We have promised to sell marketable provincial assets such as surplus real estate holdings and use the proceeds for deficit reduction. This government has pledged to eliminate the deficit because in recent years it has accumulated at a rate in excess of \$1 million an hour every year and has added an enormous debt that is being passed on to future generations to bear.

The province has several large-scale land assemblies serving no immediate or longer-term purpose to the government. These can be sold to contribute to deficit

reduction. In addition, this will permit the properties to be beneficially developed under the guidance of the appropriate municipalities.

In preparation for this action, I am announcing, in conjunction with my colleague the Minister of Municipal Affairs and Housing, that the housing priority policy will be cancelled. It is this government's view that this policy is needlessly restrictive and largely excluded the most successful and efficient developers of housing, the private sector. The policy has resulted in a prime government resource, its real estate, being underutilized and the taxpayer not achieving full benefit.

This government is getting out of the business of land banking and land development. This will free up provincial properties such as Cornell in east Markham. Through a request for proposals, the province is pursuing the immediate marketing of this land, which we believe will lead to timely development under the guidance of the town of Markham in accordance with the process set out by the town.

This could involve the sale of the entire land holding, a phased sale, or a partnership between the province and the private sector. We're prepared to entertain a variety of submissions in order to secure the best business deal for the people of Ontario.

Development of the Seaton land, northeast of Pickering, will move forward with the preparation of a secondary plan. The province can potentially realize greater revenue if Seaton is sold with a secondary plan in place.

In the Duffin-Rouge agricultural preserve, provincially owned agricultural land rented to farmers and other residents will be sold by first offering these tenants the opportunity to buy.

The disposal of surplus government land will be done in phases, taking local market conditions into consideration. Municipalities will have more say in deciding what kind of development makes sense in their communities, and the private sector will be able to do what it does best: develop the land and create job opportunities.

The province is getting out of the businesses that are best done by municipalities and the private sector, while keeping our promise to sell surplus government assets to help pay down the deficit.

#### LEGAL AID

**Mrs Elinor Caplan (Oriole):** I'm responding to the statement by the Attorney General on legal aid. I want to start by saying that his statement today says nothing about the Victims' Bill of Rights; in fact, it doesn't mention victims of crime at all.

I would point out to him that victims of crime are victimized twice, when the perpetrators of those crimes are not brought to trial speedily and—

**Hon Charles Harnick (Attorney General, minister responsible for native affairs):** We're going to debate that this afternoon, I think, Elinor.

**Mrs Caplan:** The Attorney General points out that we are debating that today and that's why I'm mentioning this. He has sat on the sidelines for months while the state of the legal aid system has been brought to the brink of collapse.

We know that there have been judges in Sault Ste Marie who halted the trial of four men charged with cocaine trafficking until the Attorney General would provide assurances that their legal aid bills would be paid. Another judge took the extraordinary step of ordering the Attorney General to appear in court and state whether his ministry would pay the legal aid bill of the lawyer involved in a murder trial. We know as well that a judge in Ottawa actually ruled that criminal charges against an armed robbery suspect would be stayed until the Attorney General guaranteed that legal aid fees would be paid.

I say to him, this afternoon we're discussing the Victims' Bill of Rights, and to stand in the House today with this legal aid announcement victimizes those victims twice, because, sir, you are issuing fewer legal aid certificates and you are saying to those people who need access to legal aid service that they will receive no justice.

Willowdale Community Legal Services is one of the most significant and important community services that was established in Oriole riding. I know how important that is to the people of our community, and I would say to him that legal aid should not be underestimated as a service in this province. It provides access to justice. It also makes sure that those people who have perpetrated crimes are brought to trial in a timely way.

I ask the Attorney General if he will today table the report of Stanley Beck so that we can all have a review of that, and I see him nodding his head—

**Hon Mr Harnick:** It's being released, Elinor.

**Mrs Caplan:** —and I thank him very much for that assurance. I will expect to see it promptly.

I would also suggest that things have gotten so bad that the law society was prepared to take the government to court if funding assurances had not been received. Today, sir, is a Band-Aid. Today does not solve the long-term problems of legal aid. It does not assure access to the justice system. It also does not assure victims of those crimes that the perpetrators of those crimes will not be let off because of the Askov decision, which requires justice in a timely way, and it does not assure victims of crime that they have any rights in this province to see that justice is done.

1400

#### SALE OF LAND

**Mr Gerry Phillips (Scarborough-Agincourt):** I am pleased to respond to the Management Board minister, first by saying that if there's something that is very dear to the hearts of Scarborough, it is the Rouge park and members of all parties have fought for years and years to make certain that park be preserved. One of the first acts that we see of the new government is to sell off the Duffin-Rouge agricultural preserve. I would just say to the members that the flags are going up, that the warning signs are going up, that the Rouge community, and I'm very supportive of the Rouge community, will begin to see what this government's all about.

Secondly, I appreciate the minister saying that it is their intention to sell off the surplus lands. I would just say that you are unravelling finally a decision made by

Premier Harris and the Minister of Finance many years ago, and Premier Davis, to buy these lands, to bank these lands. I gather that he's now had a change of mind and wants to now get rid of them.

It's probably an interesting business decision because certainly you are going to put them on the market probably at the lowest point the market for land has been at in years and years, but so be it. But it's not unlike the decision that you made to buy Suncor when you were in government. You bought high and the next governments had to sell low. So I appreciate the decision you're making.

I would just say this, that the Rouge community is now beginning to see the threat and this is the first step. Secondly, I guess the Premier has had a change of heart. At one time, he liked to buy the land and now he likes to sell the land.

#### LEGAL AID

**Mrs Marion Boyd (London Centre):** I'm responding to the statement by the Attorney General today concerning the legal aid plan. I'm sure that all citizens in Ontario are pleased to see the end of the controversy that has led to uncertainty around the status of the legal aid plan and certainly around the fate of access to justice through the legal aid plan.

I think it is important for us all to recognize that what the minister has announced today certainly indicates substantial change from the kind of legal aid service that Ontarians have enjoyed in the past and that this has been done largely to keep costs under control that had escalated by close to 50% over the last five to six years.

It is an extremely delicate issue to try and control costs and still maintain access to legal services. The work of the ministry, Professor Beck and the law society to try and accomplish a compromise that will do that has been a very, very hard task indeed and one which only narrowly passed the law society over the last few months.

It is going to be important for the Attorney General to be aware that there are many lawyers practising in the province and many advocacy groups in the province who have great apprehension about the effect of this plan on access to legal services. In addition to the close monitoring of the fiscal issues around legal aid, which I really congratulate the minister on achieving because that needed to be done—it's a manual system that's operated. It hasn't been in control and it is very necessary to have fiscal monitoring.

I hope the minister will also be monitoring issues around access to justice, issues around the court process, issues around the fairness of those court processes, the concerns of judges and lawyers around access to justice as time goes on and that, as we look at that, we can see whether there really is an erosion of access in this province and that we will all work together to achieve a change in that if that should eventuate.

#### SALE OF LAND

**Mr Tony Martin (Sault Ste Marie):** Here we go again. This afternoon, the Chair of Management Board has given us a clear indication of where this government is going, another sign of what their plan is, however simple and shallow it be. If it's public, if it has some



common interest, if it somehow is communally going to be helpful to people, particularly those who are most at risk in this province, sell it, give it away, give it to your friends and colleagues. Give it to the private sector, let them deal with it. Let them build the housing. Let them reap the rewards and let whatever comes of that trickle down to the rest of us.

In July, you took money out of the pockets of the poor. Two weeks ago today, you took away valuable services that everybody in this province depends on, particularly the poor and the middle class. In the new year, you'll be laying off thousands of workers who deliver programs. All of those decisions have had both direct and indirect consequences; just as today, no mention of them, no rolling that out, no talk of them, no figures.

Now, today, you're selling the land we all own collectively, right out from under our feet, without a second thought or a note about the consequence to people or communities. You've also cancelled the housing priority policy. You know the private sector has no interest in low-cost housing; they never have. There's no money in it. They won't do it; they won't build the housing that's needed out there for people who in this very difficult winter that we're facing are going to be cold and unhoused.

In all of this you've thrown the rights and the birthrights of all of us out the window, all the very valuable initiatives built up over the years that contribute to the quality of life, in fact contribute to the economy of this province in so many significant ways, all the things that we depend on for our day-to-day living. It's now on the auction block; it's now out there for the private sector to come in and take it over: "Just come and get it. Take it. No problem." No consequential information there, nothing, no care.

You've pulled the rug out on the poor, you've pulled the rug out on the middle class and today you pulled the rug out on all those people out there who are dependent on public housing, on this government to make sure that they have a roof over their head so that they can be guaranteed some of the basics of life—food and clothing and shelter and the ability to access land that doesn't belong to somebody else for all those things that we use that land for. It's a disgrace.

#### VISITORS

**The Speaker (Hon Allan K. McLean):** I would like to inform the members of the Legislative Assembly that we have in the Speaker's gallery today Mr Yusuf Shah, consul-general of the Islamic Republic of Pakistan. Please join me in welcoming our guest.

I'd like to inform the members we also have another special guest in the Speaker's gallery today: Mr Clem Campbell, MLA for the electoral district of Bundaberg in Queensland, Australia. Please join me in welcoming our other guest.

#### REPORT, INTEGRITY COMMISSIONER

**The Speaker (Hon Allan K. McLean):** I beg to inform the House that I have today laid upon the table a response from the honourable Gregory Evans, Integrity Commissioner, to the request by the member for

Riverdale on whether the member for London North had contravened the Members' Integrity Act or Ontario parliamentary convention.

#### MEMBER FOR OTTAWA EAST

**Mr Bruce Crozier (Essex South):** On a point of order, Mr Speaker: It is also my pleasure today to inform the House of the 11th anniversary of distinguished service in this House of the member for Ottawa East, Ben Grandmaître. As a minister and as a member, 11 years.

1410

#### ORAL QUESTIONS

##### MUNICIPAL LEGISLATION

**Mrs Lyn McLeod (Leader of the Opposition):** My first question is for the Minister of Municipal Affairs. Minister, will you please explain why your bully-bill legislation, this Bill 26, contains provisions to make municipal councillors personally financially liable if their decisions don't fit with your takeover directions? Why do you feel that municipal councillors should be sued for representing their ratepayers?

**Hon Al Leach (Minister of Municipal Affairs and Housing):** First of all, let's talk about the bill a little bit and why we wanted to get there. I can tell you, I have no intention of debating this bill clause by clause during question period. The bill has had second reading; it's going to committee. It will have clause-by-clause debate and we'll do it at that point in time.

Let's talk about why we're here. Let's talk about why we have to have this bill. Let's talk about the mess that we're into and why we need to help the municipalities to get us out of it. But I don't intend to debate clause by clause.

**Mrs McLeod:** It seems that members of the Tory caucus have been sharing a communications consultant, and it's a lucky thing that we are going to get this bill into clause-by-clause debate. But the minister is nevertheless responsible for explaining, not only to us but to the public, exactly what the provisions are of this legislation, whether he wants to debate it or not.

Minister, I want you to talk about the fact that Bill 26 clearly allows you to impose punitive and bullying controls on municipal councillors if they disagree with your restructuring plans. I direct your attention to subsection 25.2(13), which clearly makes councillors personally financially liable if they act in opposition to one of your forced amalgamations. It is as clear as it can be in this legislation. "Members who vote in favour of the act which contravenes the regulation are personally liable for the amount of the adverse financial effect...."

I ask how you can talk about increasing municipal flexibility when you bring forward measures that allow you to take total control of municipal decisions and threaten municipal councillors with personal bankruptcy if they dare to stand in your way.

**Hon Mr Leach:** As I said before, I have no intention of debating this bill clause by clause; I'm not going to do it. Do you want to talk about the bill? Do you want to talk about why we're here? Do you want to talk about the mess we're in? We'll do that. Let's debate that. Let's debate why we got here in the first place.

**Mrs McLeod:** Perhaps I could ask my supplementary before the minister has a chance to read the briefing note which was appropriately sent in to him at this rather critical moment in time. Yesterday this minister was surprisingly willing to try and answer questions. Yesterday he said that the provisions in Bill 26 were designed to give municipalities the reforms they have been demanding for many years.

Minister, I doubt if you can name one municipal councillor who actually asked you to hold him or her responsible and financially liable and to be sued for opposing an annexation or an amalgamation that is directed by you out of your ivory tower at Queen's Park. How is this anything more than an attempt to bully and coerce local municipal councils, through personal financial intimidation, to make them do what you want? How is this anything else than a blatant attempt to stifle any local community opposition to your decisions?

**Hon Mr Leach:** I'm just going to repeat it again: What it's designed to do is to ensure that a municipality that becomes part of a restructuring doesn't waste or squander the resources of the municipality. They would have to be responsible for that. I think that's a reasonable thing to do.

**The Speaker (Hon Allan K. McLean):** New question.

**Mrs McLeod:** I think this minister is a walking advertisement for why we had to fight to make sure that this legislation did not become law next week.

#### MUNICIPAL TAXATION

**Mrs Lyn McLeod (Leader of the Opposition):** My second question is again to the Minister of Municipal Affairs. Yesterday, when you were prepared to answer questions, you said that you would resign if anyone could prove that your bully bill, Bill 26, allows municipalities to levy income taxes or gasoline taxes or retail sales taxes, so today I want to bring you that proof.

I have in my hand a book called *The Constitutional Law of Canada*. I think any lawyer would tell you that this text is the definitive work on constitutional law in Canada. In a section called "The Meaning of Direct Taxation" it states very clearly what a direct tax is: "A tax on net income is direct. Indeed, an income tax is the most typical form of direct taxation." Having been provided with the proof, will you now do the honourable thing and resign?

**Hon Al Leach (Minister of Municipal Affairs and Housing):** I had a meeting this morning with four lawyers on taxation, and I should average the four answers, but I can tell you that this legislation allows fees and charges to be applied to services provided by the municipality. It does not apply to sales tax, gas tax, income tax—none of those taxes. It just does not apply. The legal branch in the ministry is very clear and very straightforward when it says it doesn't apply. You're wrong. I don't know where you're getting the advice, but it's wrong.

**Mrs McLeod:** Cabinet ministers, including the Minister of Health and now the Minister of Municipal Affairs, have proven themselves very adept at getting

ministry legal advice that backs up the bad legislation they are presenting.

Minister, it appears that you're not prepared to accept what most lawyers would consider to be the definitive legal source in Canada as proof that your legislation will indeed at least allow municipalities to raise these kinds of taxes, so I will offer the minister proof from another text. Some of us might think it is a little less definitive, but given the minister's orientation, I'm sure he will accept this as the final word. It happens to be a document called *Deficits and Taxes*. It is a document that was published by the Progressive Conservative caucus at Queen's Park in the summer of 1992.

I assume that you will accept this as the definitive, final word, since you reject the constitutional law of Canada. This text defines direct tax as follows:

"A tax that is paid directly by the person or firm on which it is levied and which, generally speaking, is hard to shift to another person. Examples include personal and corporate income tax, capital gains tax, property tax and the retail sales tax."

Minister, in the face of this proof, will you do the honourable thing and resign, as you said you would?

**Hon Mr Leach:** I wish the honourable member across would read the entire bill. It says this legislation allows fees and charges to be applied to services provided by the municipality. That's what it says. Read it. It does not say, and it does not apply to, sales tax, gas tax, property tax or any of them. You are wrong.

**Mrs McLeod:** There are two things that have become abundantly clear over the course of the last two days. The first is that you are indeed wrong. On this particular issue the law is clear; your law, your proposed law, is clear. It allows for direct taxes. We do not need to talk about your intent or any clarification through future regulations. Your proposed law is clear; it is bad legislation and it will allow municipalities to levy head taxes and even go so far as to allow them to levy municipal taxes.

The second thing that has become abundantly clear is that you are a senior minister who is completely unfamiliar with a massive piece of legislation which will have wide-ranging effects on every city and town in this province, on every citizen. You have senior responsibilities for this legislation and you don't even appear to have read it or to understand it or even have the slightest grip of what its impact will be.

I will give you another opportunity, Minister: Do you have the guts to do the honourable thing and acknowledge that you are wrong, that this is bad legislation, withdraw it and offer your resignation to the Premier?

**Hon Mr Leach:** I'm going to repeat it one more time: Read the legislation. You are wrong. I'd ask you to resign if you were wrong, but you're on your way out anyway. This legislation is very, very specific. It speaks. The legislation allows fees and charges to be applied to services provided by the municipality. Read it.

1420

**The Speaker (Hon Allan K. McLean):** New question, third party.

**Mr Bob Rae (York South):** I'm sure we could all spend a great deal of time comparing legal opinions, but



I'd like to ask the minister if he would have a look at another section of the act, which we didn't have a chance to look at yesterday, the section which permits the municipality to impose licences. In fact, it broadens the licensing power of the municipality.

On page 151 it says:

"(2) Without limiting...the power to license...and govern a business...includes,

"(f) the power to impose conditions as a requirement of obtaining, continuing to hold or renewing a licence, including conditions,

"(i) requiring the payment of licence fees, which may be in the nature of a tax for the privilege conferred by the licence or for the purpose of raising revenue."

In other words, a municipality can require that businesses hold licences with the municipality and it can then charge a tax on those businesses, which tax may take an additional form.

I wonder if the minister would not at least be prepared to admit in the House that the wording of that section clearly points to a broader power on the part of the municipality to levy a tax on business which could include business income.

**Hon Mr Leach:** What this section does, and again I shouldn't debate this because I'm not going to do it, but what it does—

*Interjections.*

**The Speaker:** Order.

**Hon Mr Leach:** —legislation that's existing. It puts a limit on the licence fees that can be charged for certain businesses in a municipality. For example, for a bakery licence you can charge \$1. That doesn't cover the cost of postage. This gives the municipalities the opportunity to license businesses and recover their costs.

**Mr Rae:** I'm sure we can debate legal opinions, but an opinion that has been reviewed that I obtained this morning from Professor Vern Krishna, who's the author of *The Fundamentals of Canadian Income Tax* and professor at the University of Ottawa law school, says as follows:

"In our view, the language of the bill may well be sufficiently specific and broadly drafted as to permit a municipality or local board to impose a fee or charge in the nature of an income tax or at very least to impose a fee or charge which varies depending upon a person's income."

Given those opinions, and opinions which I suspect will grow as more and more people have a chance to look at this bill, would the minister not at least admit that the wording of the act is sufficiently broad in its reference to direct taxes imposed by the municipality that if it is the intention of the government not to allow such attacks and if it is the intention of the government not to permit such attacks, which is what I understand the minister had to say yesterday in the scrum and the Premier had to say in a scrum this morning, I wonder why the minister wouldn't indicate today in the House that he is prepared to amend this legislation so that if there is any ambiguity or any misunderstanding, or any

such possibility, he's prepared to change the law to make sure it doesn't do that.

**Hon Mr Leach:** I think that's why bills go to committee and I think that's why bills get clause-by-clause hearing. You take it to committee, you take it clause by clause so that you can look at that. You don't do it during question period.

By the way, this legislation was drafted by our lawyers. Our lawyers say that income tax is not an issue. It can't apply to this.

**Mr Rae:** Again, let's look at the wording of where we're at. The Constitution Act says that the province has the power to levy direct taxes for the purpose of provincial revenue. It uses that phrase. The phrase that's used here is a direct parallel to that phrase that's contained in the Constitution Act. It says here, "fees and charges that are in the nature of a direct tax for the purpose of raising revenue."

If a municipality decided that it needed to raise additional revenue, let's just say to build subway lines, and it wasn't able to generate those funds from a provincial government because it refused to generate them, is the minister saying that it is not within the power of the municipality under this law to use its taxing power to generate the revenues, say, from the sale of gasoline at the pump within a municipality, in order to generate revenues for the subway? Are you saying that's not going to be possible and you're prepared to directly stop them from doing that?

**Hon Mr Leach:** The legislation, and again I guess it applies to both parties because they obviously didn't read the first sections, very clearly states that fees and charges can be applied to a service provided or done on behalf of a municipality. It does not apply to the circumstance the member indicated.

**The Speaker:** New question, the leader of the third party.

**Mr Rae:** Well, no, it does. A subway is a service that's organized by a municipality and it's a service that is not being funded properly by the provincial government because of decisions that a provincial government has made, and a municipality under these powers might quite rightly say, "If we're going to build these subways, we're going to need to find a way to generate the revenues to do so, and therefore we're going to impose a tax within the municipality." What better way to impose a tax than for the municipality to tax gasoline or tax other forms of transportation or tax sales in some other form? Are you saying that it's your intention to stop them from doing that?

**Hon Mr Leach:** Yes, because the act doesn't allow it. The act doesn't allow that kind of charge. Read it. It doesn't allow sales taxes, gas taxes or any of that type of tax, just by definition. I think you better go back to your lawyers and get them to look it over again. It's very clear to us.

**Mr Rae:** All I can say is, let's just say you're wrong and your lawyers aren't right, somebody else's lawyers are right, and the Attorney General in this instance is wrong, though I know he's been right in every other

instance. Let's just say in this instance his advice is wrong. What I'm asking the minister today is to say: "We will not permit a municipality to raise those revenues. We will not permit a sales tax. We will not permit an income tax. We will not permit a gasoline tax. We will not permit a direct tax."

If you're not interested in permitting a direct tax, a poll tax or a head tax, why not say so and take the words "a direct tax for the purpose of raising revenue" out of the bill? It's not very difficult. Why not just do that?

**Hon Mr Leach:** That's precisely why the legislation was worded in this manner, to give municipalities the wherewithal to search for new sources of revenue. The manner in which the member opposite wants to do it is why we have an act now that's 900 pages thick. Let's give them the wherewithal to do the job. This legislation says: "Be imaginative. Search for new ways of revenues." This allows them to do it.

**Mr Rae:** Let me try again. I've read it several times, and I'm now putting it to you, Minister: Is it your intention, yes or no, to allow municipalities to raise new taxes in the form of direct taxes for the purposes of raising revenue? Yes or no?

**Hon Mr Leach:** This legislation allows for fees and charges to be applied to services provided by the municipality. That's exactly what it says. That's all they can charge for. That's why I keep suggesting that you read the bill. All of the issues that you're describing are not allowed under this legislation.

#### MUNICIPAL LEGISLATION

**Mr John Gerretsen (Kingston and The Islands):** My question is to the Minister of Municipal Affairs and Housing as well. It's kind of curious that you'd be talking about municipalities wasting and squandering their resources when you've been talking in this House about giving them more autonomy.

My question deals more with the question of the powers that you give yourself in this act, Minister. I wonder if you could explain to the House what powers you've given yourself, by way of regulations, to deal with those municipalities that are either voluntarily or involuntarily restructured. Could you explain to the House what those powers are?

**Hon Al Leach (Minister of Municipal Affairs and Housing):** What we're doing is giving the municipalities the power to restructure. What we first want the municipalities to do is work together. If we find several municipalities want to restructure and one is having some problems with that, on the request of a municipality we would appoint a commission to assist them in that restructuring. The powers that I have are limited.

**Mr Gerretsen:** Oh, the powers that you have are limited? That just leads me right into my supplementary. I wonder if you could turn to pages 136 and 137, section 25.3, which deals with the commission that you could establish under the regulation. Let me just read this to you, sir.

Under subsection (7), and I'll make it as plain and simple as possible, it says: "The minister...may make regulations...that a municipality in a locality for which a

commission has been established...shall obtain the approval of a person or body specified in the regulation"—and that's where you come in—"before exercising any of its powers under any act." Not this act but any act that a municipality operates under.

Why would you give a person that you appoint as a commissioner power to do in effect whatever a municipality can do, and why would the municipality have to get the consent of that person or commission before they can do anything whatsoever? Can you explain that?

**Hon Mr Leach:** The power that would be given to a commission, if a commission had to be appointed, if the municipalities couldn't work the restructuring out themselves—and I'm sure many will, if not most—is the same type of power that applies to the OMB at the present time. As a matter of fact, there wouldn't be any reason why the commission couldn't be appointed members of the OMB.

1430

#### FOREST MANAGEMENT

**Mr Len Wood (Cochrane North):** To the Minister of Natural Resources: We have learned, Minister, that through the secret negotiations with the largest forest companies to give them control over all the crown forest management units, this will be the largest-ever giveaway of control over Ontario's crown forests in the history of the province; 2,337,000 hectares in the northwest. Why are you conducting these negotiations behind closed doors? Why haven't you made a public statement in the Legislature about these negotiations happening?

**Hon Chris Hodgson (Minister of Natural Resources, Northern Development and Mines):** I want to thank the member for the question. As he is well aware, we in the government are trying to reduce our costs. Every program that we deliver is being examined to see if we can deliver it better, more effectively and more efficiently at reduced prices.

I'm not aware of any formal negotiation process. There was a provision under the bill that the former government passed. I believe he's aware of it; it's called Bill 171, about sustainable forest licences. That's an ongoing routine procedure. I meet quite frequently with representatives of the forestry industry from individual companies. If there's going to be a change in the relationship in the forest industry with regard to crown land, we'll certainly make an announcement in the House at the appropriate time if that should occur, but I'm not aware of any ongoing negotiations at this time.

**Mr Len Wood:** I understand, Minister, that in the northwest near Sault Ste Marie you're negotiating with Provincial Paper, Yaeger, E.B. Eddy in the northeast near Red Lake, you're at Dryden and Fort Frances and you're negotiating with two large pulp and paper companies, Avenor and Stone Consolidated.

What the people of this province have been questioning is, why are you not consulting? When negotiations are taking place secretly behind closed doors, why are you not consulting with the independent organizations like the small loggers, small forest companies, the tourist associations, community forest products, first nations and



environmental organizations? They should be advised and be able to take part in or at least observe the negotiations that are going on; there should not be secret negotiations being conducted behind closed doors which we have been told are happening.

**Hon Mr Hodgson:** As the member, a former parliamentary assistant to the Minister of Natural Resources, knows, this is an ongoing process that started back in 1980 with forest management agreements. Under Bill 171 they're called sustainable forest licences, and he's referring to the transfer of forest management areas towards SFLs. That's a routine process under Bill 171 and that law applies to that process. That's quite legal.

There are provisions in that act that are being followed right now as we speak and that'll go on. It went on before my time and it'll go on into the future.

#### EDUCATION REFORM

**Mr John O'Toole (Durham East):** My question is to the Minister of Education and Training. Minister, constituents in my riding of Durham East have generally expressed to me their support for the elimination of the fifth year of high school and meaningful reform of the Ontario secondary school system. However, parents of those students entering grade 9 next year and in 1997 are concerned about the problems that will be faced when two graduating classes attempt to enter university in the year 2001.

What steps will the minister be taking to ensure that sufficient space and access to university education are available to these students?

**Hon John Snobelen (Minister of Education and Training):** I want to thank the member for Durham East for the excellent question. I know this is a subject that's on the minds of a lot of people across the province of Ontario and I'm sure the constituents in Durham East share those concerns.

As a matter of fact, both before I announced the restructuring of our secondary school system in Ontario a few weeks ago, before that announcement and immediately afterwards, I have talked to a variety of students who are in grades 7 and 8 and a variety of parents of students in grades 7 and 8 who are very concerned about the so-called double cohort of students who will be arriving in colleges and universities when we revise the secondary school program.

Part of the reason we announced the change to secondary school education a few weeks ago was to give these parents and students plenty of notice of our intention of changing the structure so that they could take some actions to mitigate the problems of a double cohort.

As the member may know, currently students can complete, under the current rules, their studies in high school under four years, and I'm sure many of those in grade 8 now will be encouraged to do so.

We are examining the option of full disclosure of marks for every course taken by high school students to help encourage them to move through the system as rapidly as is possible.

**The Speaker (Hon Allan K. McLean):** Wrap up your answer.

**Hon Mr Snobelen:** Yes, Mr Speaker. I'd also like to say that we have the colleges and universities on our advisory board who are helping us with this change in secondary school requirements, and I'm sure that they're aware of these problems.

**Mr O'Toole:** I thank the minister for a very thorough response to my question. Are there any historical precedents for the double cohort that we could learn from to address this problem in the future?

**Hon Mr Snobelen:** Surprisingly, there are a couple of examples of times when the university and college system in the province of Ontario has adopted a double cohort. For instance, after World War II the returning veterans from that war caused enrolment in universities to double and then double again. There was a similar significant increase in enrolment in universities in 1962 when the first of the baby-boomers hit the universities.

We have several examples of the universities of Ontario having a proven record of expanding their capacity to meet the needs of the young people of Ontario.

#### MUNICIPAL TAXATION

**Mr Gerry Phillips (Scarborough-Agincourt):** My question is to the Minister of Municipal Affairs and Housing. On Monday you were asked very directly in the House, "Does this bill permit a head tax?" My colleague from Kingston and The Islands asked you that question. You were very clear. You said, "Yes, it does permit a head tax."

The leader of the third party, Mr Rae, the very next day asked you the same question, "Does this bill, Bill 26, permit a head tax?" And you said, "Well, yes, as I said yesterday, it does."

Can you confirm to the House today what you said on Monday and what you said on Tuesday, and that is that this bill, Bill 26, does permit municipalities to introduce a head tax?

**Hon Al Leach (Minister of Municipal Affairs and Housing):** I wish the member had read the balance of Hansard. I said, and I'll repeat it again today, if a municipality wanted to stretch the legislation out of shape and take a very irresponsible action, they could do that, but I can assure you that if any municipality did that, we have the wherewithal to make sure that it doesn't get implemented.

**Mr Phillips:** Does this make any sense to any of you? I interpret you said, "Yes, the bill does permit a head tax, but we certainly wouldn't want anybody to introduce a head tax but we're giving them permission to do it."

I just want to confirm. I think what you said, although it's very difficult I think for the public to get any understanding of what you think, but here's what I believe you just said, "Yes, the bill does unequivocally give municipalities the legal right to introduce a head tax."

Will you simply confirm that for the House today, rather than waffling all over the place? Clearly this bill gives the right for municipalities to introduce a head tax. Is that correct?

**Hon Mr Leach:** What this legislation does is give the municipalities the ability to go out and look for new

sources of revenue. We worded the legislation very specifically so that we don't put handcuffs on the municipalities as they do now. Right now the municipality cannot do anything. It can't charge more than \$1 for a bakery licence; it can't charge more than \$20 for a restaurant licence; it can't do any of it.

We specifically broadened the bill to give them the opportunity to look at it. By broadening the bill, as I said, if they twisted it totally out of shape—and I know that they won't—they could theoretically have a head tax, but I know they won't.

1440

#### CONSULTATION WITH FIRE DEPARTMENTS

**Mrs Marion Boyd (London Centre):** My question is for the Solicitor General and the Minister of Correctional Services. One of the many aspects of Bill 26, the omnibus bill, is proposed changes to the Fire Departments Act. In a video prepared for a firefighter conference in April 1995, just before the provincial election, Mike Harris, the Premier, had this to say about the Fire Departments Act: "We have serious concerns about some of the changes that are being contemplated with respect to the Fire Departments Act. No changes will be made under a Harris government until such time as your members have been thoroughly consulted, and we will insist that all changes be fully costed, both from the point of view of workers as well as management." The government also answered a questionnaire that was sent to all parties in the same way.

Mr Minister, the amendments in Bill 26 would require arbitrators to consider the employer's ability to pay, the possibility of reduced services and the economic environment when deciding on wages, a definite change to the Fire Departments Act. I understand you're meeting today with firefighters or have met today with firefighters, and it might be interesting to hear what you had to say, but my question is, would you explain whether you consulted prior to the introduction of this bill with the Ontario Professional Fire Fighters Association, the Provincial Federation of Ontario Fire Fighters or the fire chiefs before you introduced the omnibus bill?

**Hon Bob Runciman (Solicitor General and Minister of Correctional Services):** I want to indicate that in six months in office, we've done significantly more consultation with the fire services than your government did in four and a half years in office. We've also made a clear commitment with respect to changes to the fire services act. As you know, the fire marshal conducted a review of fire services. That's gone out to all of the stakeholders. We're asking for responses by the end of this year.

We've made a commitment to have a standing committee of this Legislature, if we get the support of the two parties across the floor, to have the fire service recommendations reviewed by a committee of this Legislature, with the intent and the hope to have changes submitted in the form of legislation to the House in the fall of 1996.

In terms of changes, all I want to say is that this government came into office with a clear impression based on the statements made by the Treasurer of the former government of the kind of deficit we would be facing. We found out when we came into office that it was significantly higher than what your Treasurer was

saying months before the election. We were faced with a financial crisis that you left on our doorstep.

**Mrs Boyd:** I'm delighted that the answer of the minister clearly corroborates what the professional firefighters have to say in their letter which they sent to the minister on December 6, in which he says: "There was absolutely no consultation with the Provincial Federation of Ontario Fire Fighters. Indeed, our federation was never notified that the act was going to be altered as part of the government's recent economic statement."

The minister has made a claim that he has made a commitment to consult with firefighters in the province around the fire marshal's report. He indicates that he's going to go ahead with that kind of consultation. What he doesn't tell us is that it is ironic, says the president of the Provincial Federation of Ontario Fire Fighters, that the fire marshal, in his report, this report on which there's supposed to be so much consultation, advises that recommendation 14, items for consideration by arbitrators, not be instituted. Yet to date this is the very recommendation, the only recommendation, that the provincial government has chosen to implement.

So it's another example of how this government promised to consult before it got into office and simply roadblocks things through once it's in.

**The Speaker (Hon Allan K. McLean):** Put your question, please.

**Mrs Boyd:** Can the Solicitor General explain why the government didn't consult with the stakeholders involved or the opposition when it clearly committed to doing so during the election, and where is the costing that it committed to do from the perspective of both the employer and the employee?

**Hon Mr Runciman:** We've talked in general terms with respect to the issue of interest arbitration, and certainly I'm very much aware of the concerns of both the policing community and the fire community with respect to interest arbitration. So there was no misunderstanding. I knew where the firefighters' association stood in respect to this issue—

**Ms Frances Lankin (Beaches-Woodbine):** By mental telepathy. You never talked to them about it.

**Hon Mr Runciman:** We did discuss this issue in general terms. I'm aware of their concerns. I want to say that the changes that have been brought in with respect to this does not require an arbitrator to have a decision reflect A, B, C and D; he will only be required to consider certain issues.

Again, I want to say that our government was faced with very difficult financial circumstances. You don't want to hear this, but you ran up \$10-billion deficits year over year over year. You don't want to hear that. You don't want to listen to that. You left us a financial mess. We have to deal with it, and we have to have the tools available to deal with it.

#### WORKPLACE HEALTH AND SAFETY AGENCY

**Mr Derwyn Shea (High Park-Swansea):** My question is directed to the Minister of Labour.

*Interjection.*



**Mr Shea:** It's a pretty heavy-duty one, member.

Minister, yesterday you made a statement in the House about the Provincial Auditor's report on the Workplace Health and Safety Agency. Now, this report raises a number of serious concerns about the conduct of those at an agency, an agency reportedly out of control. You spoke about lavish meal claims, untendered contracts, inordinate amounts of severance agreements and leased vehicles and many other troubling irregularities. In light of the auditor's damning report, can you tell us what steps, if any, have been taken to address these concerns?

**Hon Elizabeth Witmer (Minister of Labour):** Since August 24 of this year, we have taken action to deal with the problems at the agency, and as you have indicated, the auditor has certainly demonstrated that there was good reason to disband the agency, as we did.

We have dismissed the assistant vice-chairs of both labour and management. We have dismissed the chief operating officer. There were severance agreements that had been initiated with the two vice-chairs, the assistants; those have been terminated. Also, the employment contract with the chief operating officer has been terminated.

We have also given instruction that the excess TV cable outlets that were not being used be disconnected. There were three reception areas. We have given instruction that there only be one area of reception. We have indicated there be no more expensive lunches and dinners. We have terminated the leases on the five cars which were never authorized.

The interim director, Mr Gladstone, is continuing to follow through to take the appropriate action because, as you know, this was employers' money, and it has been totally and unfortunately very mismanaged.

**Mr Shea:** In light of that response, the auditor's damning report of the shameful operation also suggested there were tendering problems and overspending that was something in the order of \$4.1 million in surplus payment to organizations doing business with the agency. Minister, what, if anything, are you doing to ensure recovery of those funds?

**Hon Mrs Witmer:** Yes, it certainly was an overspending that was very, very serious, and so what we have done is we have begun to identify the amount of money that was overbilled to the agency. As was indicated, it is in the millions of dollars. What we intend to do is we intend to use holdbacks as a lever to settle those outstanding amounts. We are quite optimistic that we can recover some of that money. We will be using every means possible in order that the employers can be assured that the money that can be recovered will be.

1450

#### WASTE TRANSFER APPLICATION

**Mr Dalton McGuinty (Ottawa South):** My question is to the Premier. For some time now, Metro Toronto has wanted to open a waste transfer station. In order to do that, they needed a certificate of approval from the Minister of Environment and Energy.

On October 25, the ministry rejected Metro's application for the certificate of approval. On November 7, your

office contacted the approvals branch, and this sparked an internal memo, which reads in part:

"Urgent. Urgent.

"The Premier's office wants to know: What did Metro need to submit that they didn't submit? Had we given them any prior indications that their application might be turned down? What requirements would Metro now have to fulfil in order to get a certificate of approval?"

It turns out that the company which will haul the waste from the waste transfer station—if it opens—is Jarsno Equipment Inc. Jarsno would lose money if the waste transfer station didn't open and it would make money if it did open. Of greater interest here is that the president of Jarsno is Valerie Snobelen, the wife of the Minister of Education and Training.

Premier, do you believe that in all the circumstances, it was prudent for your office to get involved in this matter? Do you approve of the actions taken by your staff?

**Hon Michael D. Harris (Premier):** I don't know anything about the application, but the minister may. I'll refer the question to her.

**Hon Brenda Elliott (Minister of Environment and Energy):** It is not uncommon for a request to be made from one office to another, either the Premier's to mine or mine to other ministers' offices.

With regard to this particular circumstance, any application that comes before the Ministry of Environment and Energy with regard to a request for permission or a certificate of approval of operation is dealt with as any other matter would be dealt with, regardless of who's involved.

**Mr McGuinty:** I'm surprised to learn that the Premier is not prepared to assume responsibility for his own office. I want to focus a moment just on the appearances.

The Ministry of Environment and Energy receives about 8,000 applications each year for certificates of approval. For some reason, Premier, your office involved itself in this one. On the face of it, it was a purely routine application.

A closer examination reveals two facts: A company stands to gain if a certificate is issued, and that company has as its president Valerie Snobelen, who's married to a senior cabinet minister in your cabinet. Finally, the records show that before you involved yourself in this matter, the Ministry of Environment had rejected the application. After your involvement, the application was granted.

Mr Speaker, through you, through the minister and back to the Premier: Premier, don't you agree that given these facts, they at a minimum give rise to an appearance of impropriety and that because of this, your office should never have gotten involved in this matter?

**Hon Mrs Elliott:** Again, with regard to any request for information, whether it comes from the Premier's office or any other minister's office, they are dealt with in the same way. I'm not aware of this particular circumstance. I can request that information and will certainly share that information with the member. Every application is dealt with in the same way they all are dealt with;

there are very prescribed rules and this one will be no exception to that.

#### SNOW REMOVAL

**Mr Gilles Pouliot (Lake Nipigon):** My question is to the Minister of Transportation. I listened to CBC Radio this morning, and I want to share with you some comments I heard.

Some municipalities might have to raise their municipal taxes to cope with the snow removal budget, winter maintenance. Let me give you a couple of examples. Owen Sound right now is \$200,000 over budget and winter is just beginning. Orillia last year at this time had spent \$38,000; this year they've spent \$150,000. Let's get things straight. You're about to cut their maintenance program by up to 50%, and your Premier and this government have said they are opposed to municipalities raising taxes. What gives here?

Under Bill 26, and it's not that far-fetched, will the government compel the municipalities to have a user fee, that if there's a snowfall you will have a snow tax? Come to your senses, Minister. It will snow for as long as the sun shines and the river flows. Will you not come to your senses and give people the same money that we gave them when we were the government and that the Liberals did too?

**The Speaker (Hon Allan K. McLean):** The question has been asked.

**Mr Pouliot:** This is force majeure. They need the public dollars for that essential service, to save lives, to keep people going from their home to hospitals, from their home to their work. Will you make a commitment? You have that power, Minister. It's up to you. Yes or no, will you do that?

**Hon Al Palladini (Minister of Transportation):** I apologize to the House. I didn't quite understand all the questions Mr Pouliot asked. If he would actually clarify the question for me, I would appreciate it. I didn't quite understand what you are asking this minister.

**Mr Tony Martin (Sault Ste Marie):** Maybe to clarify and to be a little bit more specific, I have a supplementary for the same minister.

I have a letter here from Antoinette Blunt, executive director of the Victorian Order of Nurses, Algoma branch. The letter is dated December 11, and it says:

"VON nurses in the Algoma branch have been unable to visit over 100 patients in their homes over the past three days due to the weather and the fact that many of the roads have not been properly cleared of the snow....

"Many VON patients [are] diabetics who need insulin and terminally ill patients who may be on pain pumps....

"People such as those in the cases noted above cannot be left stranded in their homes because care providers cannot reach them due to the fact that roads are not properly cleared of snow. I urge you to request that the city of Sault Ste Marie and the province of Ontario rethink the cutbacks to snow removal in northern Ontario. This issue must be dealt with now."

**The Speaker:** Put your question.

**Mr Martin:** The VON operates on both municipal and provincial roads. This situation has happened before

your municipal road budget cuts of almost 50% kick in. Mr Minister, will you rescind your decision?

**Hon Mr Palladini:** I would like to inform the honourable member that, number one, there were no reductions to municipalities this year.

But I would like to address the problem he seems to be encountering. We've had a tremendous amount of snowfall, and as a matter of fact I really believe that the Ministry of Transportation deserves a tremendous amount of credit for the jobs that actually were done.

I would like to add that we have been saying all along that this government is prepared to make sure that the standards of winter maintenance are not lowered in any way. If it's going to snow, I can assure the honourable member and all Ontarians that we will remove the snow.

#### JUNIOR KINDERGARTEN

**Mr Ron Johnson (Brantford):** My question is to the Minister of Education and Training. Minister, as you know, in our recent economic statement of last month, the government made junior kindergarten a local option for school boards. I have met with both students and teachers and our school board in Brantford and they still have some questions with respect to our position on JK. I ask if you could clarify our position with respect to junior kindergarten, in particular the changes we made and the effect they have on the basic per-pupil grant for those in JK.

**Hon John Snobelen (Minister of Education and Training):** I want to thank the member for Brantford for the question because it gives me another chance to elaborate on our program of junior kindergarten across the province.

As the member knows, we have been listening to and consulting parents and students and boards of education across the province, including the Brant County Board of Education, and the member has represented their views to me over the past few months.

Simply put, we are keeping our commitments in the area of junior kindergarten. We promised the people of Ontario that we would review junior kindergarten, do a complete program review, and that while we did that review we'd make it a local option for boards. We are doing that.

We are also funding junior kindergarten. Now, there was some misinformation about our intention to fund junior kindergarten. Some of the questions here in this chamber a few months ago would indicate that we are abandoning junior kindergarten. In fact, we're going to make it a true local option. We are going to apply the same basic per-pupil grant to junior kindergarten as all the other programs for all the other children in the school. That is making it a true local option.

#### 1500

**Mr Ron Johnson:** I want to thank the minister for his answer. It's certainly encouraging to see that our commitment in terms of the per-pupil grant is still intact.

I think we need to be very, very clear about this. The financial constraints that were foisted upon local school boards as a result of the New Democrats imposing mandatory JK have directly hindered the ability of school



boards, including the Brant County Board of Education, to provide high-quality education for the people in my community, and I think it's refreshing for our school board in Brant county to know it now has the local option with respect to junior kindergarten.

Given the change in the funding formula, what alternative programs is your ministry encouraging for those boards who still wish to offer junior kindergarten?

**Hon Mr Snobelen:** I appreciate the member's comments. Certainly this government is very concerned with offering the boards help and assistance, listening to their needs, working on options that are applicable from different boards in different parts of this province.

In terms of the alternatives available on junior kindergarten, I believe a variety of boards are exploring a variety of different methods of offering junior kindergarten, including some boards that offer alternative full-day junior kindergarten because that meets the needs of the parents in their community best.

We look forward to consulting with the boards, with the directors of education and with parents and students across the province to create a better program of education for the young people in Ontario.

#### HIGHWAY 17

**Mr Frank Miclash (Kenora):** My question follows up on the question from the members for Lake Nipigon and Sault Ste Marie, and it's to the Minister of Transportation. Minister, on November 22, the Solicitor General in this House said he would sit down with you to discuss the extreme and dangerous road conditions of Highway 17, particularly between Kenora and Vermilion Bay. I would like to know today how those discussions have developed and what you can tell us about the improvement of those conditions of Highway 17 between Vermilion Bay and Kenora.

**Hon Al Palladini (Minister of Transportation):** I would like to share with the honourable member that the Solicitor General and I certainly did discuss that, and there is conversation going with the OPP officers as well as MTO officials in regard to Highway 17. I have not quite made it up there, but I am going to drive Highway 17 for myself.

One thing I want to say to the honourable member is that we have been in government for approximately six months. His government knew back then when they were in power that Highway 17 was a problem. I'm going to say this to you, that we are going to take a look at exactly what can be done. Highway 17, I'm told, has certain areas that could be looked at for redesigning. I want to say to the member that we will take a look at how we can prioritize and improve Highway 17.

**Mr Miclash:** Minister, let me tell you that we are not looking for a four-lane highway across northwestern Ontario. All I'm discussing with you are two proposals, two phases that have already been put on your desk, phase 1 and phase 2, to redevelop the highway between Vermilion Bay and Kenora. All it needs is your go-ahead.

This arrived on my desk the other day: "I drove the Ontario death strip and survived: Vermilion Bay-Kenora."

I want you to tell me that you have in mind the best interests of the OPP serving that stretch of the highway

and those residents who have to drive that stretch of the highway every day. I want you to commit to phase 1 and phase 2 of the redevelopment of that highway here today.

**Hon Mr Palladini:** I understand that you care about Highway 17. I want you to know that we care as well. We care for the safety of all Ontarians who are going to use that highway.

Like I said, we have been in government for six months. Between the Liberal and the NDP governments, they have put us into a \$100-billion debt. We must prioritize, and we will get to Highway 17.

#### CHILD CARE

**Mr David S. Cooke (Windsor-Riverside):** My question is to the Minister of Community and Social Services. Minister, you would be aware that the federal government today made a major announcement on a national child care program which offers moneys to the provincial government to expand affordable, quality child care. Can the minister confirm that Ontario's position is that they will not participate in that program? Is that the position you've already taken?

**Hon David H. Tsubouchi (Minister of Community and Social Services):** Absolutely not. All along, we have been corresponding with Mr Axworthy, and the last point of contact we had—our officials have been meeting as well, but the difficulty right now in dealing with Mr Axworthy is trying to determine exactly what he means. It's quite similar to the way we normally deal with Liberals around here. At least with the third party, we know where you guys stand. With Mr Axworthy, I don't know where he is from day to day.

I have some support from the third party here. They're all going like this.

In any event, we are prepared to discuss the issue with Mr Axworthy. In fact, we are in the process of doing that right now.

**Mr Cooke:** If he wants to talk about members of the Legislature who waffle and can't seem to answer a question, he might want to talk to the member who's just a couple of seats down from him, the Minister of Municipal Affairs.

I'd like to ask for a more definitive answer from the Minister of Community and Social Services. Is it the minister's position, the government's position, that you support an expansion of quality, regulated child care in this province and that it is your intention to work towards an agreement with the federal government that will involve provincial dollars and federal dollars to join in on the national child care program?

**Hon Mr Tsubouchi:** As the honourable member is quite aware, we are undergoing a review of the child care area. Once again, I'll mention my parliamentary assistant, Janet Ecker, who's actually chairing this review.

In terms of the actual question and some of the national views that people may have, the honourable member will be quite interested to know that at the interprovincial ministers' meeting for community and social services there still hasn't been a consensus in this area from that group itself. What we are trying to do right now is meet with Mr Axworthy and discuss what's best for Ontario, in the light of our review of child care.

Quite frankly, we are trying to provide better choice for parents and we want to level the playing field. We're clear about that.

#### ENVIRONMENTAL PROTECTION

**Mr Rick Bartolucci (Sudbury):** My question is to the Minister of Northern Development and Mines. Minister, I rise today regarding your pending Mining Act reforms proposed under your now infamous Bill 26. You may know about the well-publicized mining rogue who continues to thumb his nose at the US Environmental Protection Agency from his new home in Singapore. His name is Robert Friedland.

Mr Friedland, in a recent *Globe and Mail* article, was described as a former co-chair of Galactic Resources, which has since cost the taxpayers of Colorado approximately \$150 million in cleanup costs because his company walked away from an environmental disaster. It has come to my attention that Mr Friedland now has a controlling interest in an approximately 55,000-acre claim now being worked in northern Ontario.

What assurances can you give the taxpayers of this province that they will not be stuck with a huge multimillion-dollar cleanup cost associated with an unscrupulous investor who cannot be trusted to regulate himself as your proposed reforms state?

**Hon Chris Hodgson (Minister of Natural Resources, Northern Development and Mines):** I want to assure the House and all the people of Ontario that the assurances will be better as a result of these amendments to the act than they were before. I can't comment on the specific individual case, but I can assure the House, and the member in particular, that the environmental standards are retained with the amendments to the act.

What we're doing is we're going to enforce the standards with an audit of the ones we think pose a substantial risk. For the rest, they will be self-assured with the pollute-or-pay principle. But the standards, let me reassure the House, are intact and this government is committed to the environmental integrity of our environment.

1510

#### PETITIONS

##### HIGHWAY SAFETY

**Mr Frank Miclash (Kenora):** I have a petition that's addressed to the Legislative Assembly of Ontario, and it reads:

"Whereas the Ministry of Transportation is intent on reducing northern winter road maintenance services; and

"Whereas such downgrading places the lives of northern residents at undue and unnecessary risk;

"We, the undersigned, petition the Legislative Assembly of Ontario to disallow these reductions in service and to guarantee that winter roads across the northern region of the province receive the necessary maintenance to ensure the safe passage of drivers."

I've affixed my name to this petition as well.

##### CHILD CARE

**Mr Len Wood (Cochrane North):** I have a petition in support of family resource programs.

"We, the undersigned, are firmly opposed to the erosion of the child care system. We are most particularly concerned about the unregulated child care sector, which represents the choice of most Ontario families, many living in rural areas. We urge this government to make its budget reduction in areas where children and families will not once again be the targets of cuts. Family resource programs support the informal sector of child care, which includes parents caring for their own children and care provided by grandparents, home child care providers and nannies."

There are hundreds and hundreds of people from the town of Hearst who have signed this petition, and I affix my name to the petition.

##### TAX REDUCTION

**Mr Bill Murdoch (Grey-Owen Sound):** I have a petition to the Legislature of Ontario:

"We, the undersigned, request that the Legislature of Ontario not approve any tax cuts until the causes of poverty and unemployment in Ontario are dealt with effectively and until the province's debt and deficit are paid down."

##### CHILD CARE

**Mr Gilles E. Morin (Carleton Place):** I have a petition from the Orleans Cooperative Nursery School.

"Whereas all of society has a responsibility for the wellbeing of all children;

"Whereas high-quality child care should be accessible and affordable to all children of Ontario when the family needs it or chooses to use it;

"Whereas a comprehensive child care system is a key component of the province's social and economic development;

"Whereas deep cuts to social programs will have a severe impact on all Ontarians, particularly women, children and poor families;

"Therefore, I join the people of Ontario in petitioning the provincial government. I am opposed to the following reductions as they would have a serious and unfavourable impact on the quality and availability of the care and education of the young children of Ontario:

"Any intention to reduce the direct operating and wage enhancement grants.

"Past and further reduction and elimination of provincial funding for subsidized child care spaces in the province.

"The cancellation of the conversion program assisting for-profit centres to become non-profit centres.

"Any further review of legislation for child care with the intent of reducing standards and quality care.

"Continued reduction in funding to those organizations such as child integration services, child care information services, resource centres that provide support."

##### TAX REDUCTION

**Mr Rosario Marchese (Fort York):** I have a petition signed by members of the Bathurst United Church, which reads:

"We, the undersigned, request that the Legislature of Ontario not approve any tax cuts until the causes of



poverty and unemployment in Ontario are dealt with effectively and until the province's debt and deficit are paid down."

I affix my signature to that.

#### HOSPITAL RESTRUCTURING

**Mr Monte Kwinter (Wilson Heights):** I have a petition to the Legislative Assembly of Ontario.

"Whereas the final report of the Metropolitan Toronto District Health Council hospital restructuring committee has recommended that North York Branson Hospital merge with York-Finch hospital;

"Whereas this recommendation will remove emergency and inpatient services currently provided by North York Branson Hospital, which will seriously jeopardize medical care and the quality of health for the growing population which the hospital serves, many being elderly people who in numerous cases require treatment for life-threatening medical conditions;

"We petition the Legislative Assembly of Ontario to reject the recommendation contained within the final report of the Metropolitan Toronto District Health Council hospital restructuring committee as it pertains to North York Branson Hospital, so that it retains, at minimum, emergency and inpatient services."

I've affixed my signature.

**The Speaker (Hon Allan K. McLean):** Further petitions?

**Mr Tony Martin (Sault Ste Marie):** I have a petition here concerning some of the cuts to education.

**The Speaker:** Order.

**Mr Martin:** I wish to express my complete disapproval—

**The Speaker:** Order. It's not allowed in the House. Further petitions?

*Interjections.*

#### QUEEN STREET MENTAL HEALTH CENTRE

**Mr Tony Ruprecht (Parkdale):** I know that the members are very interested in these petitions and I would think that we could have some order here to listen to them.

"Whereas the government is going to open a 20-bed forensic facility for the criminally insane at the Queen Street Mental Health Centre; and

"Whereas the nearby community is already home to the highest number of ex-psychiatric patients and social service organizations and hundreds of licensed and unlicensed rooming-houses, group homes and crisis care facilities in all of Canada; and

"Whereas there are existing facilities right now that could be expanded to access and treat the criminally insane; and

"Whereas no one was consulted, not the local residents, not the business community, not the leaders of community organizations, not education providers, not child care providers, not even the local member of provincial Parliament;

"We, the undersigned residents and business owners of our community, urge the PC government of Ontario and the Minister of Health"—who's sitting right over there—

"to immediately stop all plans to accommodate the criminally insane in an expanded hospital until a public consultation process is completed."

I've signed my name to this document.

#### UNIVERSITY FINANCING

**Mr Tony Martin (Sault Ste Marie):** I want to express, on behalf of about 1,000 people from the York University community, complete disapproval with the government's planned funding cuts to higher education.

"Universities are already seriously underfunded. Further cuts will hurt the quality of teaching and research, limit accessibility, increase fees and student debt, and put many jobs in jeopardy throughout the university system.

"I urge you to stop all cuts to higher education funding. Ontario's future depends on the quality and accessibility of its education system."

**Mr Rosario Marchese (Fort York):** Thanks for the banner.

**Mr Martin:** Yes, and the banner from students who are concerned about their increase in tuition.

#### JUNIOR KINDERGARTEN

**Mrs Julia Munro (Durham-York):** I have a petition here for the Legislature of Ontario.

"We, the undersigned, petition the Parliament of Ontario to continue the funding for junior kindergarten programs for all school boards. We sincerely believe that these programs are essential to the positive development of children and cannot condone the elimination of them should funding be denied."

I have here the signatures from many people within my riding, Holland Landing and many other communities as well.

#### CLOSURE OF ONTARIO WELCOME HOUSE

**Mr Dominic Agostino (Hamilton East):** This is to the Legislature and particularly the Honourable Marilyn Mushinski, Minister of Citizenship and Culture.

"We, the undersigned, protest the closure of Ontario Welcome House. The loss of these vital services will make it extremely difficult for us, new Canadians in Hamilton-Wentworth and southwestern region, to participate fully in this community and reduce our chance of getting decent jobs. We're particularly concerned that these cuts to the services come at a time when other community services are also being cut."

It is with pleasure that I add my signature to the petition.

#### CHILD CARE

**Mrs Sandra Pupatello (Windsor-Sandwich):** On behalf of these residents:

"We are requesting that the Harris government not proceed with the proposed cuts to child care system. These cuts will hurt children, parents, child care staff and local communities. Without standards, children will get lower quality care. Without provincial funding for child care, regulated, non-profit child care services will collapse. Parents who want regulated care won't be able to access it. Parents on social assistance will be forced to enrol in workfare/learnfare programs or lose all their benefits. They will be left with no alternatives but to

place their children in unsafe care. Communities also lose when jobs are lost, and community investment disappears."

There are some thousands of signatures affixed, and I add mine.

#### FRENCH-LANGUAGE SOCIAL SERVICES

**Mr David Christopherson (Hamilton Centre):** In addition to the 2,000 signatures I've already presented, I have another 200 to add from the Hamilton and Niagara community.

"Whereas the funding for social services in the centres de santé communautaire of Hamilton and Niagara has been cut by 100%; and

"Whereas the French Language Services Act ensures the deliver of French-language social and health services to francophones in designated cities such as Hamilton, Welland and Port Colborne; and

"Whereas the needs and feasibility studies carried out after the implementation of the French Language Services Act recommended the establishment of community health centres in the regions of Hamilton-Wentworth and Niagara to ensure delivery of French-language services; and

"Whereas the health centres are the only organizations ensuring the delivery of social services in French, since there are no designated bilingual positions in the other organizations of these designated cities;

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"We, the undersigned, petition the Legislative Assembly as follows:

"We demand that the Legislative Assembly immediately stop its attack on French-language services in Ontario. The centres de santé communautaire of Hamilton and Niagara are the only agencies offering French-language social services because there are no bilingual designated positions in the other agencies in our communities;

"We expect the Legislative Assembly to demonstrate clearly that Franco-Ontarians are an integral part of the province of Ontario, to immediately review the cuts which have affected those health centres and to re-establish the funding of social services and ensure the future of social services and health services in French in the Hamilton-Wentworth and Niagara community centres."

I affix my signature.

#### HIGHWAY SAFETY

**Mr Michael A. Brown (Algoma-Manitoulin):** I have a petition carrying a large number of names from the communities of Dubreuilville and Wawa. It says:

"To the Legislative Assembly of Ontario:

"Whereas the Ministry of Transportation is intent on reducing northern winter road maintenance services; and

"Whereas such downgrading places the lives of northern residents at undue and unnecessary risk;

"We, the undersigned, petition the Legislative Assembly to disallow these reductions in service and to guarantee that winter roads across the northern regions of the province receive the necessary maintenance to ensure the safe passage of drivers."

I've affixed my signature to this, and for the information of the assembly, I also have letters from the municipality, the ambulance service and the medical centre that support this petition.

#### COMMENTS OF MINISTER RESPONSIBLE FOR WOMEN'S ISSUES

**Mr Tony Martin (Sault Ste Marie):** "Whereas six women present at a meeting held by the minister responsible for women's issues, Dianne Cunningham, at her constituency office on October 25, 1995, agree that they heard the minister state, 'Within the context of this government, you need to understand that groups or agencies that are seen not to be working with this government, providing an oppositional voice...will be audited and their funding eliminated'; and

"Whereas the minister responsible for women's issues denies having made this statement;

"We, the undersigned, request that the government establish a legislative committee to determine whether the minister responsible for women's issues abused her authority as a minister of the crown by making threatening and intimidating remarks at the meeting described above."

I sign my name to this petition.

#### BETHLEHEM PLACE

**Mr James J. Bradley (St Catharines):** This petition is addressed to members of the Legislative Assembly.

"Whereas Bethlehem Place in St Catharines has provided a vital and useful service to the people of the Niagara region; and

"Whereas Bethlehem Place has provided second-stage housing counselling services in an effective and efficient manner and turned around the lives of many who have been dependent on social service payments; and

"Whereas Bethlehem Place, which was established with widespread community and church support, enjoys continued support from the people of St Catharines and the Niagara region;

"Therefore, be it resolved that the government of Ontario reinstate the funding for counselling services at Bethlehem Place in St Catharines."

I affix my signature to this petition as I agree with its contents.

#### COMMON SENSE REVOLUTION

**Ms Shelley Martel (Sudbury East):** I have a petition to the Legislative Assembly of Ontario which reads as follows:

"Whereas Mike Harris said on May 30, 1995, 'If I don't live up to anything that I have promised to do and committed to do, I will resign'; and

"Whereas Mike Harris promised on May 3, 1995, 'No cuts to health care spending,' but in his November 29 economic statement we see \$1.3 billion or 18% in cuts to hospital spending over the next three years and a further \$225 million in cuts from the health care budget; and

"Whereas Mike Harris promised in the Common Sense Revolution that, 'Aid for seniors and the disabled will not be cut,' but in his November 29 economic statement Mike Harris is cutting the Ontario drug benefit plan and



making seniors and the vulnerable pay for their drugs; and

"Whereas Mike Harris has clearly broken his promise to seniors and the disabled;

"We, the undersigned, demand that Mike Harris keep his word and resign immediately."

That is signed by over 40 members in my riding and I have affixed my signature to it. I agree with the petitioners.

#### HIGHWAY SAFETY

**Mr Michael Gravelle (Port Arthur):** I have a petition from the Amalgamated Transit Union in Thunder Bay, the men and women who drive our public transit.

"We, the undersigned from Local 1374, Amalgamated Transit Union, are gravely concerned that the Ministry of Transportation is intent on reducing northern winter road maintenance services and feel that such downgrading places the lives of northern residents at undue and unnecessary risk;

"We therefore petition the Legislative Assembly of Ontario to disallow these reductions in service and to guarantee that winter roads across the northern regions of the province receive the necessary maintenance to ensure the safe passage of drivers and passengers."

I sign my name.

#### CHILD CARE

**Mr Dwight Duncan (Windsor-Walkerville):** "To the Legislative Assembly of Ontario:

"Whereas the Ministry of Community and Social Services is apparently intent on replacing child care subsidies with a voucher system; and

"Whereas the voucher system will discriminate against families presently utilizing subsidies in child care centres across the province;

"We, the undersigned, petition the Legislative Assembly of Ontario to disallow these cuts to this critical economic investment in our communities across the province and to guarantee the current child care subsidy system remains funded and supported."

This is signed by hundreds of individuals, and I affix my signature to it.

#### REPORTS BY COMMITTEES

##### STANDING COMMITTEE ON GOVERNMENT AGENCIES

Mr Martin from the standing committee on government agencies presented the committee's third report.

**The Speaker:** Pursuant to standing order 106(g)11, the report is deemed to be adopted by the House.

##### WORKERS' COMPENSATION AND OCCUPATIONAL HEALTH AND SAFETY AMENDMENT ACT, 1995

##### LOI DE 1995 MODIFIANT LA LOI SUR LES ACCIDENTS DU TRAVAIL ET LA LOI SUR LA SANTÉ ET LA SÉCURITÉ AU TRAVAIL

Deferred vote on the motion for third reading of Bill 15, An Act to amend the Workers' Compensation Act and the Occupational Health and Safety Act / Projet de loi 15, Loi modifiant la Loi sur les accidents du travail et la Loi sur la santé et la sécurité au travail.

**The Speaker (Hon Allan K. McLean):** As previously agreed to last night, this will be a five-minute bell. Call in the members.

*The division bells rang from 1527 to 1532.*

**The Speaker:** Would the members take their seats, please.

All those in favour of this motion will please rise one at a time.

#### Ayes

Arnott, Ted	Harnick, Charles	Ross, Lillian
Baird, John R.	Harris, Michael D.	Runciman, Bob
Barrett, Toby	Hastings, John	Sampson, Rob
Bassett, Isabel	Hodgson, Chris	Saunderson, William
Beaubien, Marcel	Jackson, Cameron	Shea, Derwyn
Brown, Jim	Johns, Helen	Sheehan, Frank
Carr, Gary	Johnson, David	Skarica, Toni
Carroll, Jack	Johnson, Ron	Smith, Bruce
Chudleigh, Ted	Kells, Morley	Snobelen, John
Clement, Tony	Klees, Frank	Spina, Joseph
DeFaria, Carl	Leach, Al	Sterling, Norman W.
Doyle, Ed	Leadston, Gary L.	Stewart, R. Gary
Ecker, Janet	Martiniuk, Gerry	Tsubouchi, David H.
Elliott, Brenda	Munro, Julia	Turnbull, David
Fisher, Barbara	Murdoch, Bill	Vankoughnet, Bill
Flaherty, Jim	Mushinski, Marilyn	Villeneuve, Noble
Fox, Gary	Newman, Dan	Wettlaufer, Wayne
Froese, Tom	O'Toole, John	Wilson, Jim
Galt, Doug	Ouellette, Jerry J.	Witmer, Elizabeth
Gilchrist, Steve	Palladini, Al	Wood, Bob
Grimmett, Bill	Parker, John L.	Young, Terence H.
Guzzo, Garry J.	Preston, Peter	
Hardeman, Ernie	Rollins, E.J. Douglas	

**The Speaker:** All those opposed will please rise one at a time.

#### Nays

Agostino, Dominic	Gerretsen, John	McLeod, Lyn
Bartolucci, Rick	Grandmaitre, Bernard	Miclash, Frank
Boyd, Marion	Gravelle, Michael	Patten, Richard
Brown, James J.	Hampton, Howard	Phillips, Gerry
Browley, Michael A.	Hoy, Pat	Pouliot, Gilles
Caplan, Elinor	Kormos, Peter	Pupatello, Sandra
Christopherson, David	Kwinter, Monte	Rae, Bob
Cleary, John C.	Lalonde, Jean-Marc	Ruprecht, Tony
Colle, Mike	Lankin, Frances	Sergio, Mario
Cooke, David S.	Marchese, Rosario	Silipo, Tony
Crozier, Bruce	Martel, Shelley	
Duncan, Dwight	Martin, Tony	

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 67; the nays are 34.

**The Speaker:** I declare the motion carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

#### JOB QUOTAS REPEAL ACT, 1995

##### LOI DE 1995 ABROGEANT LE CONTINGENTEMENT EN MATIÈRE D'EMPLOI

Deferred vote on the motion for third reading of Bill 8, An Act to repeal job quotas and to restore merit-based

employment practices in Ontario / Projet de loi 8, Loi abrogeant le contingentement en matière d'emploi et rétablissant en Ontario les pratiques d'emploi fondées sur le mérite.

**The Speaker (Hon Allan K. McLean):** There'll be a five-minute bell. Call in the members.

**Hon Norman W. Sterling (Minister of Consumer and Commercial Relations):** On a point of order, Mr Speaker: Would members agree to the same vote on this particular bill?

**The Speaker:** It's agreed? Same vote.

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 67; the nays are 34.

**The Speaker:** I declare the motion carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

#### ORDERS OF THE DAY

**Hon Norman W. Sterling (Minister of Consumer and Commercial Relations):** Mr Speaker, in the absence of the House leader, before I call the first order, and I beg your indulgence, I would indicate to the House the business for the rest of today as we intend to call it:

Second reading of Bill 5, the Shortline Railways Act; then second reading Bill 6, the Corporations Information Amendment Act; then second reading of Bill 23, the Victims' Bill of Rights. Then we would go into committee of the whole on those respective bills in that order, and then we would call those bills for third reading in that order. If there's any time left today, we would then call second reading of the planning act, Bill 20.

#### SHORTLINE RAILWAYS ACT, 1995

##### LOI DE 1995

#### SUR LES CHEMINS DE FER D'INTÉRÊT LOCAL

Mr Palladini moved second reading of the following bill:

Bill 5, An Act respecting Shortline Railways / Projet de loi 5, Loi concernant les chemins de fer d'intérêt local.

**Hon Al Palladini (Minister of Transportation):** The goal of this bill is to increase investment by making it easier to create shortline railways in Ontario.

Shortline rail delivers what the private sector needs. It provides quality transportation service, it brings prosperity, and it leads to the creation of jobs. The Harris government is committed to promoting investment and returning Ontario to its former position as a place of growth and opportunity.

For too long, Ontario government policies have prevented the creation of new short lines. In today's competitive climate, that simply doesn't make sense. Our government has shown that it's serious about making Ontario a great place to invest once again, and Bill 5 is one of the ways we will do it.

I want to give you some of the background that will explain the need for this bill. First of all, Ontario has not updated its rail laws since 1950. Of course, much has changed since then. Today, large rail companies are abandoning lines or sections of lines that they can no longer run at a profit, and the federal government is rewriting the rules that major rail companies have to

follow if they want to abandon any part of their current service.

**1540**

Recently I made a presentation to the federal standing committee on transport, which is looking into these changes and I told them that the Harris government wants to make sure that Ontario still has the level of rail service it needs.

One reason that Ottawa is reviewing rail policy is because the national rail network in Canada is too large for its current workload. This is especially true in eastern Canada. In this part of the country, with about 40% of major companies, the network handles about 90% of the traffic.

This reality has led to the creation of several short lines in Canada over the past five years, but the shift to short lines has also meant changes at the community level. A community or a rail user facing the possibility of abandonment has two choices: accept the bad news as inevitable or see it as a challenge. I am happy to report that our legislation will allow more of them to choose the second option. That's because a short line offers many things that larger services do not: flexibility, lower operating costs and service that's better tailored to the needs of small users.

They are important for many other reasons. For example, shortline operators will often buy the products and services they need close to home, creating an extra boost for the local economy.

Let me give you an example. In 1992, the Goderich-Exeter railway in southwestern Ontario began operating with eight employees. Today it has 12. The company has supported and continues to support the economy of Goderich by opening up protected markets for a wide range of local products.

The president of Railtex, which owns the Goderich-Exeter line, has written me a letter. The letter says his company is prepared to expand its investment in Ontario. He's looked at the changes we want to make and he likes what he sees.

What he sees is an environment that encourages investment, improves efficiency and reduces red tape. The goal is lower costs. That will show potential shortline investors like Railtex why they do well in Ontario. It also invites local investors to consider looking at short lines. Companies like Railtex told us that Bill 40 was a major hurdle in the creation of short lines. So was the red tape and bureaucracy they faced in setting up these new businesses. That's why we have taken steps to reduce the barriers to business and economic growth.

We know that shortline rail service means jobs. In Canada and the United States, short lines have created or preserved thousands of jobs in the past decade. We also know that Ontario has the potential for as many as 10 of these lines. That is a significant number. Every time an operation starts, every time a job is protected, that adds to our province's bottom line.

The opposition will say there are no guarantees that short lines will lead to job creation. To them I say, the only guarantee we have is that without this legislation the



services and the jobs that go with them will almost certainly disappear.

This bill gives us tools to forge agreements with the federal government so that Ottawa's rules and regulations on rail safety can also apply in Ontario. This does several things: It ensures that Ontario conforms to national rail safety standards—our province in fact is leading the movement towards national harmonization of railway safety regulations—it cuts down on costly duplication of expertise at the provincial level, and best of all, the cost associated with rail safety will be carried by the railways, not Ontario taxpayers.

**Mrs Sandra Pupatello (Windsor-Sandwich):** In speaking to the shortline railway bill, I'd like to mention that our party certainly agrees that anything we can do that encourages the private industry to involve itself in shortline railway is applauded. Specific to the bill as it's outlined, we do have a couple of concerns. I'd like to identify those.

In the railways act as it's written, clause 5(2)(a), the requirements for companies entering into the industry, it's quoted as requiring "adequate liability insurance." What the act doesn't specify is what that definition is of adequate liability insurance. We should be getting some kind of notation of that. As you may know, in the railway industry there are few insurance companies who are available to offer insurance to these companies. Depending on what that definition of "adequate" is going to be, what likely will happen is that these private firms will have their insurance rates go through the roof and ultimately could not afford the insurance that would be offered.

Understanding too that the Ontario government is currently in negotiation with the federal government regarding regulations as they would apply to shortline railway—and we understand that those are in draft form now—the Ontario provincial government is apparently agreeing to adopt them, whatever that form may eventually be. We should know now then that there are some elements in that federal draft regulation that include information that's quoted as "type and volume of traffic carrying dangerous commodities," and that may be one of the definitions that would require adequate liability insurance.

Again, we need further clarification and definition of what would constitute a dangerous commodity. That kind of small statement that's in the act, again, is going to cause probably undue hardship on smaller firms which would have to acquire whatever that adequate level of insurance is. That indeed is the concern out there in the industry.

Additional concerns that we should raise—and I think the government members too would want to acknowledge that we do want to level the playing field for the transportation industry, one of those being railway. What we've missed are some important points that would allow far more equity in the transportation industry. If we had to compare, for example, shortline railway versus the trucking industry, what the public may not know is that shortline railroads pay municipal taxes, property taxes, along all of the railway property. Trucking firms, for

example, don't pay additional taxes to be on the road. All of Ontario taxpayers pay for that.

As another comparison, shortline railway firms pay for the railway upkeep; in fact, they are charged with the duty of paying for the rail, paying for the upkeep of it, as opposed to trucking firms, which of course don't pay property tax on roads.

Certainly we are looking at those kinds of equities that perhaps the minister could in the future address that would make it even more fair for shortline railway to enter into a level playing field in the transportation industry.

We should note that all along, up until recently, with the introduction of toll roads, for example, every new addition of a highway always was a further impediment to the shortline railway industry. In fact, the discussions that are going on now in the trucking industry that may eventually allow for double-barrelled trucks, longer loads, in Ontario, too causes more competition for the railway, causes additional fraction on the roads. You'll see the barrelling or bowling on highways because the trucks are much heavier than they ever were. What that does is put additional moneys from Ontario taxpayers, much of which of course is paid by shortline railway too, and of course we're not allowing for any further kinds of concessions for the railway industry.

Overall we're in support of the motion. I think that in keeping with more of the dogma of government we want to encourage fair competition in the transportation industry. The minister would be wise to continue to look at making the transportation industry more equitable, even for the shortline railway.

1550

**Mr Gilles Pouliot (Lake Nipigon):** I listened carefully to the words preceding second reading of Bill 5, An Act respecting Shortline Railways. I couldn't help but remind myself of what used to be the national dream, what was an instrument to not only unite the country if you go back some years; in fact, if you go back to the very first days of Confederation, ones Pierre Berton has written so much about, and so rightly so. Over the years I too have watched with some chagrin the national dream becoming a national nightmare.

The minister opposite will have us believe that salvation, free enterprise, has come to the rescue. Being a person of vision, he no doubt got his inspiration from perhaps the November 1995 edition of the Reader's Digest. I've heard it said that the Premier is quite comfortable with reading, consulting, adhering to the Reader's Digest. It's of little surprise. The articles are short. They're to the point. There is nothing complex about the publication. It is published throughout the world in a multitude of languages. I have the English edition and I'm sure the Premier will agree with me that no others need apply here.

This edition talks about a new way to run a railway. It's available at the library, and you will find it, Mr Speaker, to the right. You will find the Reader's Digest to the right of the shelf. It hasn't fallen off the shelf, but it's very much to the right of the shelf: page 37, November 1995. I know what's in it. It talks about rail tax. It talks about a big, bold move to the right. I recognize the

Reader's Digest when I go to this very bill. Let me share the compendium with you, and then we can blend the intent and the spirit. Simply put, we know what's being done here, and I quote:

"The purpose of the bill is to provide for the regulation and licensing of shortline railways. The minister may appoint a registrar to issue licences for shortline railways.

"The minister may enter into agreements with the federal government to provide for the regulation and inspection of shortline railways by the federal government in the same manner as it regulates railways under federal jurisdiction."

You have to search pretty deep. You have to be familiar with the jargon, with the language that is spoken around here, because if you were to go across the street and talk to a passenger, someone who's about to board a CN or CP, they'd say: "What the heck," if I may be so bold, Mr Speaker, "are you talking about? What's the real story of this bill?" Let's go back together; we'll do it together.

I know, Mr Speaker, that you very much have at heart the welfare of the consumer, the protection of jobs for those women and for those men who have worked for the railways, who in essence have built the country. You are an educated man and I've been watching you very closely, Mr Speaker, and I know that you too, when you listen to the Minister of Transportation get up and expedite a garage sale, including the garage—why not?

The minister is salivating. He can't wait for CN and CP to end up in the hands of the "free enterprisers," come hell or high water. If some workers who are making a fair living providing that essential service are out of a job, so be it. If their successor rights have ceased to exist by way of the devious Bill 7, which removes their opportunity to keep working and to pay taxes and to be like the others, well, be it again. The government of the day, the Progressive Conservative Party of Ontario, with its 82 members, couldn't care less.

People are anxious out there. People have told our caucus, they've come to us with fear and have said, "If for no other reason, oppose the bill, because my co-workers and myself with this," with Bill 5, with all its virtue—and it has a lot of attributes. One could speak at length about the bill being a facilitator, the bill trying to address public necessity and convenience. But those people don't wish to be left twisting in the wind, like the member for Welland-Thorold so rightly reminds us on a regular basis. They don't want to be put on the human junk pile. They want to work. Heaven knows, heaven will attest that they've worked so hard. When this bill comes to pass, it is tout fini. They'll have to find a job elsewhere. Hopefully their skills will be marketable, or maybe they can sell those skills—

**Mr Terence H. Young (Halton Centre):** To a shoreline railway.

**Mr Pouliot:** To a shoreline railway indeed, not the highest but the lowest bidder.

They will, after toiling, after spending so many hours at their designated workplace, open the pay envelope to find that there's only a few meagre dollars. They will

humble their way home and put that pay envelope on the table and hope that it does suffice until the same exercise goes on and on with no chance to look ahead with a degree of confidence.

What has happened to our railroad? What brings us to today, December 13, 1995, shoreline railways and Bill 5?

The minister is right. Truck traffic has more than doubled in the past short while, seven or eight years. People have become expectant of door-to-door delivery. It's the way to do business. People know that you have just-in-time delivery at the factory. That's also the way to do business. Consequently, both railroads, CN and CP, have fallen out of favour. It's no longer the best bang for the buck, and they're left with that infrastructure.

We have literally two lines, CN and CP, that go from coast to coast, a sign of yesteryear. We must learn to do things better—balance, equilibrium—and the arguments demand that we look for the positive in what is being done here today, that we look long and hard, that we search, scrutinize, analyse every line of the bill and say, does the bill become a facilitator given the situation that we're in? Yes, it does. You will not have to plead public necessity and convenience. You could never get to this.

Right now if one of the two, CN or CP—more often than not CN and CP—applies for abandonment to the National Transportation Agency, the feds in Ottawa, and asks that a line from point A going to point B, being uneconomical, be removed, if you are an opponent, a presenter, and wish to have the line remain in operation, remain open, you have to prove that fiscally it can be done. You don't have a chance to plead about public necessity and convenience; you don't quite get there, so you have a very difficult and a very cumbersome situation.

1600

Buyers, people, say, "We'll pick it up from you; we'll take it off your hands"; then it gets complex. You know how this House runs. You have to make an application to the Ontario Municipal Board. They profess little expertise. It's not their role in life. Quite often you're put on the back burner and it takes you 12 months, a year, a year and a half; it can take two years. Many of us have dealt with the OMA, and that comes as a result of sponsorship from a private entrepreneur.

The bill slashes through that. It makes it more expedient. It makes the proposed shoreline available to municipalities and it does give an opportunity to the private sector to do things as opposed to abandonment: Somebody will pick it up. We have to say that when it comes to the facilitator the bill does the right thing, and we support the government.

Unfortunately I cannot forget, and I'm torn. I wish that I could say: "Good work, Minister. You recognized the order of the day." I really wish, but there's a side of me on behalf of our party that says Bill 7 did not permit Jane and Harry, those railroad workers, to have the opportunity to become employed. That weighs inconstant, sir, with the highest of respect, and respect to you too, Mr Speaker, and respect to all the good deeds out there; it does not balance quite fully. So I have to oppose the bill, having recognized that it has a lot of good things in it.



I will make sure, because we will be watching very closely, that the registrar is not a friend of a friend, and I lower my voice; you know what I'm saying, but you can't say it here. You cannot impute motive, but sometimes when you know people, if whoever gets that responsibility has some family connections—I'm not talking about cousins there, I'm not talking about a nephew or a niece; I'm talking about the family of Conservatives. Today is a day to be bold, to call it like it is. If they're Tory hacks we will scream and say, "Get her, get them out of there; they don't belong. There's a conflict." So when it says "registrar" we will be watching very, very carefully who gets that job and those jobs.

We will also be watching very carefully when it comes to safety, that the standards we have become accustomed to, as we change from the fed to the province, that new adventure, that new endeavour, are maintained. We know only too often, and people mean well, but if you have a very highly competitive—and the nature of transportation is competitive by nature at times. I saw that with trucking. People wanted to compete so badly that they forgot about safety. Safety was compromised. The tires got a little more bald; the brakes were running on their reputation. You know, the bill of sale was okay, but once you got into the real world it scared the living daylights out of people and accidents kept multiplying, and so on.

We put a stop to that. When I was minister, that was the highest of priorities. It seemed that as soon as I left, the wheels literally started to fall off ministry—I'm sorry—off the trucks. But I know that the minister is watching them very, very carefully. He knows a lot about vehicles; he knows a lot about competition.

In his other life the minister does very well indeed. I read about it in the paper and I believe he does very well in his other life. He sells cars.

**Mr Peter Kormos (Welland-Thorold):** Used cars.

**Mr Pouliot:** And used cars too.

**Mr Young:** And trucks.

**Mr Pouliot:** And trucks. He knows about the product. Maybe we wouldn't be in this dilemma—I'm going to quote and I never thought I would see the opportunity. "Railway property taxes in Ontario: They're inequitable. They damage Ontario's competitiveness," and it says, "It's time for change." I don't want to take this out of context so soon after the last election. I agree with them; it's time for change indeed.

"Higher taxes add to Canadian rail costs." We wouldn't be in this dilemma if the Minister of Finance, with his friend the Premier of this province—those two people together have a lot of clout. Between them and the Premier's office they have a stranglehold on all remaining 80 members of the Conservative Party. If they would have given CP, and soon CN as they become more privatized, a break, we wouldn't have to go to short rail lines nearly to the same extent.

I know Mr Saunderson is watching me very carefully. It doesn't make me one bit nervous because I know he knows that I'm telling the truth, that I speak with sincerity. This is a lobby; it's a positive lobby on behalf of, in this case, Canadian Pacific Railway. I said to them in

Schreiber last weekend, after I got there, and it wasn't easy—I can assure you the roads were, well, you can imagine where I live—not in the best of conditions, and with my modest vehicle I made it there. Thank God that my computer, at the right time, showed "traction active," otherwise I could have hit the ditch, and the system was allowed to slow down to adjust to the road conditions.

In conclusion, there isn't very much in the bill. The bill was kept simple. In principle, *et seulement en principe*, in principle only I support the bill. It is well drafted. It reflects the way business should be and will be conducted in 1995. It goes beyond salvaging. It makes a salvage situation workable.

Unfortunately I cannot ask my colleagues to join in the philosophy. It would be unfair, for I have to go back to the human dimension, to Bill 7 when they tore away, when they went and reached for the heart of the workers to make sure they had no play at the marketplace, that they had no chance to survive Bill 5. They made darned sure under Bill 7 that their rights and their opportunities to keep doing what they've done so well, their fathers before them—it goes back to Confederation, but their ability, Madam, their ability, gentlemen, to do so has been taken away from them.

I know that my seatmate, the member for London, is quite familiar with short-rail lines. She prefers to drive herself but from time to time she sees the need to experience the conditions aboard. Hopefully the conditions will improve. You would wish me to talk at length about the comfort, about what has happened to the passenger service in your special area of the province of Ontario. I will not, for your time and the time of the members opposite is quite valuable.

I want to thank the minister, and I echo his sentiment of the good staff at Transportation who have represented the interests of Ontarians through their lobbying and their opposition to the closure, to the abandonment of lines in the past, and now have embraced, because that's what their mandate is, the new philosophy to the right.

My distinguished colleagues, members of the party, next time you table a bill, give us a little more meat. There's not much in this and I've already taken a lot of your time.

1610

**Mr Pat Hoy (Essex-Kent):** The member for Lake Nipigon mentioned the municipalities, and I have a concern in that regard as well: that the registrar of the shortline railroads has to be satisfied that there is adequate liability insurance coverage for the operation of a shortline railway. I've met with the municipalities on other issues in my area, but they did bring up the fact that their current ability to purchase adequate amounts of liability insurance other than for railroads is becoming more and more difficult.

There was a crisis in the liability insurance area four or five years ago where large settlements were given out, in the opinion of some people, and it caused municipalities a lot of grief. It cost them a lot of money to insure themselves under those circumstances, prior to shortline railways being offered up to them. I have a concern that

they may not be able to acquire insurance coverage which would perhaps be dependent on a number of factors, including the route that the shortline would operate in, whether it's urban or rural; the type of freight that might be carried—hazardous, non-hazardous, or passengers; the frequency of trips.

I hope the government will understand that in the downloading that's going to occur to municipalities, we don't exclude the cash-strapped municipalities from their ability to purchase a shortline railroad and that they are able to purchase adequate amounts of liability insurance, and that there may be a role for the government to help them and assist them in keeping shortline railroads operating throughout the province, in particular in the rural areas.

**Mr Mike Colle (Oakwood):** In general, this is a positive bill and our party is supporting it. I think the writing is on the wall that there is a dramatic shift taking place in the rail industry across Canada. As you saw what happened with the public offerings on CN a couple of months ago, there was such a demand for the shares I think it even caused a great deal of surprise not only in the rail circles but also in the financial circles. It was a very, very popular issue. I think even investors realize that there is a potential for economic benefit and gain for those who invest in the rail industry.

I notice the minister in his comments referred to one of the rationales for doing this: to create economic investment opportunities in the climate, and also to create jobs. I certainly think that this will help. I'm not sure how many jobs he mentioned in Goderich; I think he mentioned something like 12, but it just brought to mind that it's too bad the same interest wasn't applied to the investment in a subway I had in my riding of Oakwood that would have created over 12,000 jobs, not only directly in subway construction but also in spinoffs, because what usually happens is that when you have a viable railway or a subway, there's a spinoff effect in terms of providing more jobs as a result of people who ship freight or commuters who use heavy rail.

Heavy rail is a good investment if you look at its benign impact on the environment, because it does not cause the emissions that truck traffic causes, it doesn't cause the damage that does to a resource like our roads. So anything we can do as members of this Legislature, that they can do as a government, in terms of encouraging investment in rail, will have a return, not only a direct return in jobs or in terms of providing cheaper delivery of services and goods for companies across Ontario, but also be very, very compatible with the environment. As you know, rail is also very compatible with land use patterns, and that is something that can't be underestimated.

I would also look in terms of where this is going in the future. I would think that perhaps this is one small step where the minister can perhaps look at ways of investing in other rail infrastructure that is seen throughout Ontario. If you look in the greater Toronto area and southern Ontario, you'll see there are rail lines that are underutilized right across this great province, and if those rail lines could be used, not only for freight utilization but also commuter utilization, there could be great potential

to move people and move goods more efficiently in this infrastructure that we've already invested in.

Just take a look at Union Station, for instance. It has the potential to do a great deal in terms of reducing the congestion in the GTA, bringing people to work and to do business in the GTA, yet Union Station sits there really underutilized. I was sad to see that one of the things this government did was take investment out of upgrading the rail capacity at Union Station. That is something that goes contrary to what I think the future holds in terms of investing in the rail network.

As I said, I challenge the minister to go beyond this bill, which in its limited way is a positive step. We have to have more strategic investment in our rail infrastructure so that we can make the Ontario economy much more competitive, because at this point in time we are really going into uncharted waters. The challenge is to find ways of making these abandoned rail lines, or ones that are about to be abandoned, part of the economic infrastructure of Ontario of the future, not to look to rail as something from the past. I think that rail will more than likely be looked upon as an integral part of the 21st century.

This is something that can't be done in a piecemeal fashion, because it does take a great deal of strategic investment. It's almost tragic in some ways to look at our rail infrastructure. You'll see that we're still using 19th century infrastructure and technology. Very few countries in Europe—I think Albania is the only country that still uses diesel rail. Most of them are electrified; modern European rail is basically electrified. Here we are in Canada, where we have abundant cheap electricity, still using very antiquated technology. So this is another challenge in terms of trying to make our rail infrastructure competitive and, again, very compatible with the environmental interest.

I do think that there are some good aspects of this bill, because they do free up underutilized small rail lines that will provide a local need. I know the one in your area, Mr Speaker, that runs under the tunnel in Windsor is an example of a small rail line that does offer a specific service to a specific industry. Hopefully, this bill will at least enable other investments across Ontario, enable not only people working on the rails, although they're limited in number, but the industries associated with the ability to deliver those goods across Ontario.

I do commend the minister, really, for bringing this forward. I think it's a good first step, but I would challenge him to not forget that investment in rail has to be accelerated in order for us to be competitive, and it just can't be done in this one bill. I would like to see further bills come forward where we see an investment in our rail infrastructure throughout Ontario and not to forget that heavy rail and subways and movement of people is something that he should revisit because I know the people, certainly in central Metro, would like to see that Eglinton subway built for jobs, for investment and all the spinoffs that would incur.

Again, I support it and I just hope he goes further.

1620

**Hon Mr Palladini:** I would like to thank my colleagues for their support. Certainly I share with them



their concerns. As for the short railway lines, I see them as a tremendous opportunity for this province. Obviously, I would like to reassure you that from a safety standard we are going to be latching on to the federal standard, which I believe is one of the most stringent in the world.

As for the opportunities that do exist as an investment, the Liberal member for Oakwood, I certainly would like to say to you I appreciate your support. I do see opportunities that are going to be available to further expand. This government is committed to a balanced transportation system and there has to be a way that we can utilize short railway lines, possibly in transportation, from a people standpoint.

I want to thank my colleagues.

**The Acting Speaker (Mr Bruce Crozier):** Mr Palladini has moved second reading of Bill 5. Shall the bill carry?

All those in favour, say "aye."

Opposed?

The ayes have it. I declare the motion carried.

Shall the bill go to third reading?

**Hon Norman W. Sterling (Minister of Consumer and Commercial Relations):** No, committee of the whole House.

**The Acting Speaker:** Committee of the whole House.

#### CORPORATIONS INFORMATION

#### AMENDMENT ACT, 1995

#### LOI DE 1995 MODIFIANT LA LOI SUR LES RENSEIGNEMENTS EXIGÉS DES PERSONNES MORALES

Mr Sterling moved second reading of the following bill:

Bill 6, An Act to amend the Corporations Information Act \ Projet de loi 6, Loi modifiant la Loi sur les renseignements exigés des personnes morales.

**The Acting Speaker (Mr Mike Colle):** The Minister of Consumer and Commercial Relations.

**Hon Norman W. Sterling (Minister of Consumer and Commercial Relations):** Mr Speaker, I know that, in your other function as my critic in the official opposition, you'll be interested in this bill in particular. I'm glad that you're in the Chair, because this will no doubt prevent you from criticizing my speech. Perhaps it won't. Maybe somebody will take your place, if you would like. But I know, actually, that your party and yourself are supporting this bill for there have been previous indications of this.

As you know, I introduced this bill on October 3 of this year. This legislation fulfils an election commitment to reduce the regulatory burden on small business, streamline government operations and eliminate the annual filing fee imposed on Ontario corporations.

Prior to the last provincial election, our party surveyed approximately 20,000 Ontario businesses, seeking their input on changes to improve the business climate in this province. The results of the survey assisted in the development of our task force report called Creating Jobs Through Small Business. I would like to acknowledge and thank the Canadian Federation of Independent Business for its input into this report.

The report stated, "The regulatory process and associated compliance costs, such as government-mandated paperwork, is of immediate concern to Ontario business." We acted on that valuable input and, as one of our first orders of business, we took immediate steps to eliminate the \$50 corporate annual filing fee and reduce the regulatory burden on Ontario businesses. We did this to relieve what we consider to be an onerous and unnecessary tax burden.

We also looked at ways to streamline and simplify the reporting processes that Ontario business must deal with annually. Under the old system, each corporation each year would file with the Ministry of Consumer and Commercial Relations a form which would outline the name of the company, the address of the company and the directors of the company, and file with that a \$50 fee. What we have done under our proposal is, as I mentioned before, do away with the \$50 fee. But, more importantly perhaps to small business, we have eliminated the need for a large number of these businesses to file any form with my ministry.

Beginning on January 1, 1997, corporations will file their basic corporate information with the Ministry of Finance along with their corporate tax filing, thus eliminating the need for two separate forms going to two separate ministries for the large majority of corporations in the province. The corporate public information will then be transmitted to the companies branch in my ministry, which will ensure that the public record is kept up to date.

What this means is that we've made it easier for businesses to deal with government. They will file with just one ministry, not two, which also reduces a very great deal their administrative costs. It also means we will cut back on government paperwork so that the business community can devote its resources to stimulating the economy and creating jobs.

About two thirds of active corporations in Ontario will give us their information with their corporate tax return. In fact, only non-profit corporations and corporations which are not making a change and want to use a new electronic system to file the update of their information will continue to file their returns with my ministry, but now without a fee. Every other corporation will be filing its return with the Ministry of Finance.

I would like to tell the House that I will be making amendments to the original bill. When I set down this bill—and we have been moving very fast on this effort—we put together a working group of people from both the Ministry of Finance and the Ministry of Consumer and Commercial Relations. This group has been working together to streamline the process. As a result, I will be putting forward some amendments this afternoon in order to show the results of their work over the last month and a half.

We believe that maintaining our corporate public record is very important for the business community and for the people of Ontario. Public disclosure of this information is necessary to ensure a fair and open marketplace in our province. Our records indicate that more than 300,000 searches are made annually. Our

experiences show that only through regulatory mandatory filings will we maintain and support a reliable and accurate public record.

My honourable colleagues, we are committed to reducing red tape, streamlining our operations and procedures, and eliminating government overlap.

This is only a small step in our attempt to help small business. We have a task force which is being headed up by the parliamentary assistant to the Minister of Economic Development, Trade and Tourism, Mr Joseph Spina, the member for Brampton North. He is working very hard on other efforts to eliminate red tape, and I see him in the Legislature here today supporting this bill.

It is essential that we continue to improve our overall relations with the business community. Together, we will advance business improvement initiatives that will ensure more efficient government service delivery to businesses in Ontario.

I would also like to add that the government will be forgoing some revenue with regard to this particular matter, but I think it should be remembered by all members that the cost of recording and doing this business in government is recouped through another avenue, that is, we take that information and we sell it to other people. In fact we sell it 300,000 times a year; therefore, this is a net revenue gain for the government of Ontario, even though we are not charging business to put that information into the computers and into the system.

I want to say that we've got great support from the business community, of course. This was a red flag to them in terms of government interference and government red tape, which they saw as unnecessary, and we have addressed it.

1630

**The Acting Speaker:** Any questions or comments?

**Mr Dwight Duncan (Windsor-Walkerville):** I rise today to say that I will be voting in favour of this bill. I think that those of us who had to go through the process, pay the fees, are aware that it really is a nuisance.

But I see the Minister of Labour here, and I would be remiss if I didn't talk about what the government has done in Bill 15 to employers. The minister has added sections to Bill 15 which, in our view, will create a paper burden on employers that will make this corporate filing fee look like nothing at all. We think they've done this in error and we urge them—

**Mr Joseph Spina (Brampton North):** On a point of order, Mr Speaker: I think we're discussing Bill 6, not Bill 15.

**The Acting Speaker:** He's in order. Overruled.

**Mr Duncan:** The government talks a good game. Bill 6, they talk a good game. Bill 15, they create more red tape. While this minister attempts to clear the path, the other minister throws scrub brush on the path, and ultimately they're not doing anything to aid the business community.

I applaud the minister tonight for his legislation and I ask him to speak to his colleague—

**Mr Peter Kormos (Welland-Thorold):** On a point of order, Mr Speaker: Quorum, please.

**Senior Clerk Assistant and Clerk of Journals (Mr Alex D. McFedries):** A quorum is present, Speaker.

**The Acting Speaker:** Thank you. Proceed.

**Mr Duncan:** To conclude, I would urge the minister to speak to his colleague the Minister of Labour and ask that they reconsider Bill 15 in light of Bill 6 and their clear desire to relieve employers of paper burden in this province.

**The Acting Speaker:** Any further questions or comments? Third party? I recognize the member for Brampton North.

**Mr Spina:** I rise in support of the bill and I thank the minister for acknowledging—

**Mr Gilles Pouliot (Lake Nipigon):** What about rotation?

**Mr Spina:** He called it.

**Mr Duncan:** You missed it.

**Mr Pouliot:** The Speaker's right.

**Mr Kormos:** Let the Speaker reflect on it for another minute and 39 seconds.

**Mr Spina:** Do I have the floor, Mr Speaker? Thank you.

I want to vote in favour of this motion and I thank the minister for acknowledging the work that we are doing to help reduce the barriers to small business. This is a very important factor in the business community, and we know that the opposition is pretty well entirely in favour of this particular motion. We look forward with great anticipation to seeing it being passed.

**The Acting Speaker:** Further questions or comments? Would the minister like to respond?

**Hon Mr Sterling:** I'd just like to thank those members who are supporting this bill and also have seen the light, that we need to cut down the regulatory burden and the red tape.

**The Acting Speaker:** Further debate?

**Mr Bruce Crozier (Essex South):** I must say, after the last hour in the House, I have a great deal more respect for the Speaker's chair.

It's a pleasure for me to make a few comments with regard to this bill. I might say at the outset that I too will be supporting it. It's a particular pleasure to be here today and speak on it and be present for the vote, I'm sure, because little more than a week ago I was distressed by the fact that there was the introduction of a very important and wide-sweeping bill, but I didn't have the opportunity to be present at first reading. But by-gones are by-gones, and it's great to see that we're moving on to the business of the House.

When it comes to red tape, it's interesting, in passing, to note that we have a bill that has some eight sections. It's only two pages, and yet, as the minister has advised us, we are going to have amendments to that bill. I think there are in the neighbourhood of six amendments.

When I think back to Bill 7 and when I think to what we have to look forward to in Bill 26, the amendments that are going to be proposed to that—I think there were 63 government amendments to Bill 7; I hear there are



going to be 100 or so amendments to Bill 26. Here there are six amendments to a two-page bill by the government. I wonder who really is drafting the bills. One of the ministers referred earlier today to the lawyers that the government has, and I really would like them to question the salaries those lawyers are being paid, because if the government ever has to arrange a two-car funeral, they might have trouble getting them in order.

In any event, we all support small business, and certainly we all support the reduction of red tape. The only comment I would have at this time of year, as we approach the Christmas season, is that small business, not only because of red tape—and getting rid of the \$50 filing fee is certainly something, as I said, we support—not only red tape but the general economy, I think, is bothering small business at this present time.

There's a suggestion that we may be moving out of this recession that we've been in for the better part of this year, and I hope we are, but we're told that retail sales are sluggish at best. The more we can do to support small business, to make it easier for small business, the better.

I was in what would be considered a small business for 22 years. I was the financial officer in a small or medium-sized lumber business in my home town and a part owner of that business. I realize that there is certain paperwork involved with a business when it comes to reporting to government, and anything that can be done to reduce that is certainly helpful and welcome.

I would just encourage the government to keep on in the minister's Consumer and Commercial Relations ministry—it's a highly regulatory ministry—I would encourage him to do whatever he can to help small business. An example of that might be, albeit one is government and one is private, the opening of the liquor and beer retail stores prior to Christmas. That's one of those moves.

I hope that, before the minister goes ahead too quickly with privatization, the mistake isn't made that's been made so far, and that is, by rushing ahead we don't always cover all the bases. I hope the minister will take under advisement that there are ways that, for example, the LCBO can improve its service to the communities it's in. There are ways that they can perhaps become better merchandisers and make more profit for the province.

After all, the LCBO generates just in profit alone over \$600 million. I would not want to see any move made that would jeopardize that revenue to the province. I would not want to see any move made that would increase prices to the citizens of Ontario. I would not want to see any move made that reduced the choice that we have.

I applaud this move. I only ask that the minister and those in the ministry move with caution and with an open mind when it comes to all areas of small business. Certainly the fewer regulations we have the better, through you to the minister.

I suggested when I first came to Queen's Park from my municipal background that what we could have is a different kind of three Rs when it comes to legislation, that is, we review it, we reduce it and, in some cases, we rescind it.

I appreciate the minister's move in this respect and I will be supporting this bill.

1640

**The Acting Speaker:** Questions or comments? Further debate?

**Mr Peter Kormos (Welland-Thorold):** Thank you, Speaker, and welcome to the Speaker's chair. I'm happy to be able to talk to you about this, and I know that you, with your background and experience, are going to share some of the great concerns that I have about what in fact we're dealing with here, because on its surface it seems a relatively innocuous piece of legislation.

What was remarkable is that the minister, in presenting it at first reading and in speaking to it today, as did some of his colleagues and to my great surprise some of the Liberals, spoke of this as being part of that genre of economic enhancement, of job creation. In fact nothing could be further from the truth, Speaker. You know that. I know you're nodding in acknowledgement. You can't participate because you can't be partisan, but you're nodding and I know you understand.

I don't want to embarrass you by indicating your support for that proposition, but I think it's important that people listening to the debate understand that there are clear-thinking minds here in this assembly who can see under this veneer, this facade of apparent streamlining.

I suppose in the total scheme of things there's nothing wrong with eliminating one of the filing destinations, to wit, the Ministry of Consumer and Commercial Relations, and resorting only to the ministry of financial institutions as the recipient of the filing documentation. But you really have to question, don't you, Speaker, (1) whether this has anything to do with job creation or economic development or economic enhancement, and (2) what's this all about anyway? Eliminating the \$50 filing fee.

You know I come from Welland-Thorold and you know what kind of communities those are. Those are communities of hardworking people. They're communities of small business people, and I suppose the third question that has to be addressed here is, does this government really understand what small business is about in the province of Ontario?

Is small business the Frank Stronach Magna corporation with hundreds and thousands of non-unionized, underpaid, abused workers whose efforts to unionize are frustrated in the most brutal and barbaric way, all the more so now with the repeal of Bill 40 by this government?

That's not small business, not where I come from. That's corporate business, and they undoubtedly, whatever modest relief this relief to the tune of 50 bucks per filing fee will enjoy, this legislation—not so much this particular legislation because in the total scheme of things 50 bucks per year to file your annual return is not going to create even one job in a corporate enterprise, not one.

It's going to cost this government and this province millions of dollars in revenues when a corporate registry system still has to be maintained. So what we get to is the fact that taxpayers, plain working folk, if they're fortunate enough to be working in this economy which is

being driven—and I disagree with my friend about recovery from a recession, because my friend made reference to that. In fact, if you read the financial sections you'll read that over the last two quarters in this province there's been no economic growth and what you understand, if you know anything about what a recession is, is that two successive quarters of zero economic growth are the indicia of an oncoming depression or recession.

It's not just folks here in Welland-Thorold or here in the province of Ontario. There are folks here from BC today, Jim and Betty Semple. They're from Sooke, BC. When they asked me what was on the order paper today, I told them Bill 6, among other things, and I told Jim and Betty Semple that this government was going to try to pass for second reading and then through for third reading this Bill 6, a bill that was part of their economic recovery package, and they said: "Are these guys nuts? Do they have the slightest comprehension about what real economic recovery means? Do they have any understanding that eliminating a \$50 filing fee is, in and of itself, (1) not going to generate an economic recovery, and (2) going to place a burden on the taxpayer?" And just look who else it's going to place a burden on.

This is Bill 6. There are only five bills that preceded this in terms of legislation being presented to this assembly by this government. But six bills. We're starting to do the payola, the grease, the payoffs to the corporate world. Who's been beaten up on? Who's had the daylight's kicked out of them? Welfare folks have. Poor people have, people on social assistance. They never got a break. Nobody told them, "We're going to relieve you of some of the things you have to pay for." Nobody told them, "We're giving you a break in terms of the fees you have to pay to function on a daily basis, whether it's ordering your birth certificate, or whether it's ordering a copy of your marriage certificate, or whether it's registering your motor vehicle, or whether it's doing any of those daily things."

Because, you see, everybody understands that those registry systems cost money and in the case of the registry system for the corporate world it costs a great deal of money. You know that, Speaker. I know you do, because you're an experienced person and you understand the contradiction here. You understand the transparency of this particular piece of legislation.

Where I come from in Welland-Thorold—and let me tell you something: I understand small business. I grew up in a small-business culture. I was a small business person myself. My parents were small business people and from the age of 10 or 11 I worked in that family business. My grandparents were small business people, driven to small business by the last recession, by the last depression, like so many other people from Welland—recalling those dirty, miserable days with that heavy-handed jackboot government of Hepburn, who was equalled only by Mike Harris and the Tories in terms of their oppressive, totalitarian regime and their attack on working people and the poor.

You see, a whole lot of folks in my community became small business people. What happened? Let me tell you what happened. Let me take you back to the

Hepburn era and you're going to see some distinct similarities. I was born down in Crowland, down the south end of Welland, and back when Mitch Hepburn was the Premier of this province—Mike Harris didn't invent workfare; Mike Harris didn't invent it at all. It was a tool that Mitch Hepburn used back in the Dirty Thirties down in Crowland, when he forced people on relief to dig sewers by hand for mere pennies an hour.

When those people, many of them eastern Europeans and other immigrants to this country, people like my grandparents, dared fight back, when they dared say, "No, we have a right to organize and negotiate and fight for work conditions and decent wages," why, what did Mitch Hepburn do? He brought in the Ontario Provincial Police, and those people in the Crowland sewer strike were forced to work at gunpoint.

1650

Now you're starting to recognize some of the similarities, huh, Speaker, between the Hepburn government of the 1930s—

**The Acting Speaker:** Member for Welland-Thorold, it's Bill 6 we're discussing.

**Mr Kormos:** I'm talking about who small business people are, Speaker. When those people organized, dared to speak up against a right-wing government that didn't give a tinker's dam about the poor or about their children or about women or about the sick, why, by God, Mitch Hepburn brought in the OPP with guns; in the same way, I suppose, as the OPP had been brought into Queen's Park to surround Queen's Park, again, to put those same sort of people, working people—

**Mr Duncan:** Mr Speaker, on a point of order: I just want to point out that David Croll, a former member for Windsor-Walkerville, a great Liberal, resigned that cabinet over those tactics, and I'm proud to represent the same riding that he did.

**The Acting Speaker:** Let's try to keep our comments to Bill 6 and directly related to Bill 6.

**Mr Kormos:** You bet your boots I will, Speaker.

The member is quite right. Senator Croll, a progressive Liberal the likes of whom won't be found in this Liberal caucus, a progressive Liberal, broke with Mitch Hepburn. The real contradiction is that Mitch Hepburn, one of the most reactionary governments short of this one that this province has ever seen, produced one of the most progressive Labour ministers, with the seed, the genesis, of progressive labour legislation, the very same sort of progressive labour legislation that was fought for by people like my grandparents and other folks' grandparents in Crowland, in the Crowland sewer strike, which has been seized, taken away from them, by virtue of Bill 7 and the repeal of Bill 40 that's contained in Bill 7.

Really what we're talking about, the struggle that we're talking about—and don't think that Bill 6 wasn't on the minds of the workers who were demonstrating, picketing, fighting back against this government in London on Monday, December 11. Don't think that Bill 6 wasn't on their minds then, because they were incredibly conscious of the fact that this government is greasing, paying off, piecing off its corporate buddies, its corporate



masters, at the expense of working people and the poor and single mothers and their children and the sick.

**Mr John Gerretsen (Kingston and The Islands):** Fifty bucks.

**Mr Kormos:** Fifty bucks? The fact is it will amount to literally millions of dollars before all is said and done.

The minister talks about the generation of revenues. Somehow he suggested the generation of revenues will offset the incredible cost to the taxpayer that this kick-back is going to entail. The fact is, that generation of revenues by the sale of information could be augmenting the reasonable fee charged to corporations for their annual filings.

I have no opposition and none of the people in this caucus have any opposition to streamlining the process. Indeed, I'm looking forward to Frank Sheehan, a fellow member from Lincoln, leading his committee, taking a look at what in fact can be done by this government to assist small business, because one of the things that's important is that we understand who small business is.

Once again, let's talk about this bill in the context of Welland-Thorold and, I'm confident, in the context of what is most of real, small-town Ontario. One of the problems with coming here to Toronto is that you start to think that Ontario begins and ends at the intersection of Yonge and Bloor. Well, let me tell you, that has no relevance to what is the bulk of real Ontario. The bulk of real Ontario is small communities, communities like Welland and Thorold, communities of hardworking people, communities of decent neighbourhoods, communities of churches, communities of people who are struggling now like they haven't been struggling since their grandparents struggled in the Dirty Thirties. That's what the real Ontario is.

I wanted to get to why I talked about the Crowland sewer strike and the oppression that the second most reactionary government in Ontario imposed on those people, those brave, courageous people. A whole lot of those people were forced, because of what flowed subsequently from that, to go into free enterprise because there was blackballing taking place in the industrial workplace. They became identified as progressives. Why, some of them were even called CCFers. They became identified as progressives and were blackballed by the corporate world that wanted no part of progressive people, especially progressive people who could organize, especially progressive people who were courageous, especially progressive people who would struggle.

So these people were forced to enter into free enterprise, and they did. Some of those businesses, indeed most of them, are still alive and well and functioning and struggling with a difficult economy—

**Mr Gerretsen:** And paying their 50 bucks.

**Mr Kormos:** The fact is most of them aren't incorporated. Elio Defelice up in Thorold, Elio's boot shop on Main Street in Thorold, one of the biggest selections of cowboy boots in the province of Ontario, and again an entrepreneur, Elio Defelice who with his sons runs an outstanding business, fair, decent stock and inventory, prices that are competitive with anything you're going to find in the big city, Elio Defelice isn't the Elio's Shoe

Store Inc; it's Elio's shoe store. It's a family business. They aren't incorporated. You see, the corporate world is not the small business world of small-town Ontario.

Sue Berg and her book exchange down on King Street. Let me tell you about Sue Berg, a woman who is a small business person, a true small business person who has run and supported herself and raised her children by amassing one of the best collections of second-hand hardcover and paperback books around, right down in the south end of King Street and old Crowland, just south of the tracks. Susan Berg isn't incorporated. Susan Berg is a small business person. You see, relieving the corporate world of 50 bucks a year filing fees is not going to help Sue Berg at the book exchange down at the south end of King Street one bit.

It's not going to help Brent Warner, who's been screwed royally by the last government and now by this government as a result of the incipient corruption in the Ontario Lottery Corp. Brent Warner, who has been arbitrarily denied—he's a small business person. He's a person who's been squeezed out of the workplace because of the deindustrialization of southern Ontario because of free trade and because of the recession. So he went into business. He opened up a couple of corner milk stores. No, it's not Becker's, it's not Avondale, it's not any of those kinds of operations. It's a family-run business. It's Brent Warner and his partner and his family, if and when they can help out. That's small business in Ontario.

Relieving the corporate world of \$50 annual filing fees is not going to help Brent Warner and his two small variety stores, working from seven in the morning until 11 and 12 at night. Relieving the corporate world of the \$50 filing fee is not going to help Brent Warner. Straightening out the Ontario Lottery Corp and giving him and other small businesses like that fair access to Lotto Ontario machines is. That's what's going to help Brent Warner.

You see, the fact is that Avondale and the other corporate corner stores have an entrée into the Ontario Lottery Corp. They've got a speedy access. The little entrepreneurs are getting screwed while the Avondales and the Beckers and the other corporate chain stores, paying their crummy wages and providing crummy work conditions for the vast majority of their staff, have almost automatic access to Ontario Lottery Corp vending equipment.

**Mr Frank Klees (York-Mackenzie):** On a point of order, Mr Speaker: The member opposite has been spending a great deal of the time of this House speaking to everything except the bill before it. I really would ask you to deal with that matter.

**The Acting Speaker:** If the member for Welland-Thorold could stick to the corporate filing fee.

**Mr Kormos:** I'm going to stick to small business because the preface, the introduction, the commentary on this bill was about how it's going to help small business, and I say, bullfeathers. I say scatological bullfeathers. I say this bill is transparent about whose interest it really serves and about the fact that it doesn't assist small business one iota.

1700

Because again, my concern, and I mentioned this earlier when I began, is that this government doesn't really understand small business. Well, they understand the Frank Stronachs—you know, Frank Stronach had a take-home last year of \$47 million. In the province of Ontario, when people are living on the street this Christmas, when more and more families, mothers with their children, are going to be living in cardboard boxes in the alleyways off Yonge Street, Frank Stronach pocketed \$47 million in take-home last year.

The banks of this country—

**Mr Klees:** On a point of order, Mr Speaker: Mr Stronach happens to be a constituent of a mine and I don't see what this issue has to do with the bill before this House. The fact of the matter is that Mr Stronach has done more for business and job creation in this province than this member would ever recognize. Would you please have him stick to the issue before the House.

**Mr Kormos:** Don't talk to me about—that son of a bitch fought his workers who attempted to legally organize—

**The Acting Speaker:** Mr—

**Mr Kormos:** I withdraw "son of a bitch," Speaker. He fought—

**The Acting Speaker:** Would the member for Welland-Thorold withdraw that unparliamentary characterization?

**Mr Kormos:** Withdrawn, Speaker.

But that rich, rich, ultrawealthy corporate owner fought his workers, the women and men working in his workplaces, tooth and nail using every device available, every bit of unfairness, every bit of his wealth, to avoid them engaging in their right to organize and collectively bargain and negotiate on some parity with an incredibly powerful company that persists in exploiting workers, exposing them to unsafe work conditions, and denies them the decency of collective bargaining.

Don't tell me about Frank Stronach. His name may well be on your list of election contributions. I suspect that if it wasn't before, it will be now, and you deserve that much, but don't praise Frank Stronach in here. Ask Frank Stronach how much of that \$47 million was put back into Ontario or how much of it was spent on Mercedes-Benzes. You've never seen a Mercedes-Benz built in the province of Ontario by Ontario or Canadian workers.

Look, the banks of this country in the last year, and the greatest majority of these profits drawn from people in the province of Ontario, made in excess of \$5 billion; not million, billion. That's \$5 billion in profits from the pockets of the little people like the small business people down in Welland and Thorold, and they're still downsizing, and they're increasing their service fees. Think about it. Think about what's going on.

You want to help small business, huh? You wrestle the banks back down to earth and make them and make our federal counterparts force them to become more responsive to the needs of small business people, those small

family-run businesses. No, not the corporations that are going to be relieved of their \$50 filing fee, but real small businesses, the family-run operations, the mom-and-pop operations, the type of business that I grew up in, the type of business my parents grew up in while their parents were operating them, and the type of business that—granted it wasn't a corner store—I understand when I employed three, four, five people at a time as a small-town lawyer down at the south end of King Street, where Mark Evans is still carrying on the practice at Kormos and Evans, a brilliant young criminal lawyer. He too, Mark Evans, one of the brightest around, down at the south end of King Street, not in a fancy part of town; in a simple part of town where good, hardworking people have lived for generations, in fact the part of town where our grandparents fought the Crowland sewer strike.

That's where Mark Evans is practising criminal law. That's where he is, and he isn't going to enjoy any relief as the result of the revocation of a \$50 corporate filing fee. He's a small businessperson. Don't you get it? He works 12, 14, 16 hours a day, creates three and four jobs at a time. See, that's real small business. His partner is in there from time to time; his spouse is in there from time to time working for free, helping out late at night: filing, things like that. That's small business.

**Mr Pouliot:** It's not the board of trade, you see. It's not the Boulevard Club.

**Mr Kormos:** You're right. He doesn't belong to the London Hunt Club. You know, it's remarkable that at a time when this government is giving small business breaks, it's putting the brakes—indeed the boots—to the most vulnerable and the weakest people in our community, in our province.

This morning in the committee that oversees appointments to boards, agencies and commissions, the Tory majority on that committee approved the appointment of one Evelyn Dodds to, of all things, the Social Assistance Review Board: not to the pension committee, not to the insurance commission, but to a panel that one would hope would have some sensitivity and some compassion and some concern and some cognizance of what it means to be on welfare and to be denied welfare or mother's allowance or social assistance. A woman who is outspokenly anti-francophone, anti-single mother, anti-subsidized housing, anti-union; who's a vile, mean, mean-spirited and uncharitable woman; who has referred to women in subsidized housing, if they dare to share it with a male companion, as living in bordellos. What? A woman who actively in her community—Evelyn Dodds—was among the nine against three who voted for an English-only community in Thunder Bay, who said there's no room for francophones in her vision of Ontario. A woman, Evelyn Dodds, who insisted that child welfare benefits are but motivation for women to bear more children.

What a cruel, unthinking, uncaring thing to do, for this government to permit the appointment of a woman who didn't even undergo the initial interview, who was plucked out of the list of applicants, wasn't required to go through the normal course of events, who was hand-picked—oh, not by the public, because she's lost the last two successive provincial elections that she's campaigned



in. Clearly, the people in her community have no particular interest in seeing her here in an elected position. But handpicked.

So you see why I raise that, Speaker, because we're discussing Bill 6. We're discussing this payola, this piece-off, this break for the corporate world at the expense of the little people. Where do you think the lost revenues are going to come from? Well, they're coming from that 21%-plus cut to the benefits payable to single mothers and to the poorest. Where do you think those lost revenues of millions of dollars are coming from by virtue of this break for the corporate world? They're coming from the user fees that our grandparents and our parents are going to have to pay for prescription drugs. They're coming at the expense of junior kindergarten for our youngest people, and we know that an investment in junior kindergarten has a payoff that's 10-fold at the end of the day.

So you see, as this government caters to, accommodates, suckles up to, crawls into bed with, crawls out of the back pocket of the corporate world, the real small business people in this province continue to suffer, my friends. If you don't think so, go talk to them. And if you think for a minute that your Bill 6 is going to resolve the pain and concerns and anxieties of small business people, think again, friends.

You know, small business people, why, this government wants to sell off all of the assets that the people of Ontario have worked so hard for and invested so long in. We heard about it today. We hear an ongoing commitment to peddling off the Liquor Control Board of Ontario. My God, that's an enterprise that made \$630 million profit last year. It employs 5,000 people at decent wages. It ensures that liquor is distributed in a responsible way and that minors and young people aren't given access to it. It's the largest single purchaser of spirits in the world, giving it an incredible advantage in purchasing spirits and in the prices that can be passed on.

They want to give it away to their corporate buddies. They want to give it away to what they would have us believe are small business people, but really will end up being the Seagrams of the world or the California wineries, the Gallo Brothers of the world, so that Canadian spirits, and more importantly Canadian wines, especially those fine wines from Niagara region, will no longer receive the prominence that they get on LCBO shelves, and so that consumers can pay more, just like they do in Alberta now, after Ralph Klein kleined the Alberta equivalent to the Liquor Control Board of Ontario, where there are lower stocks, where there's less selection, higher prices, and where teenage abuse of alcohol has risen 15% since the so-called privatization of Ralph Klein's Alberta liquor control board stores.

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You know, this is sad. This is really shameful. It's really pathetic that the government—I suppose what makes it all the more shameful is that you're right: 50 bucks, that's the kick-back, a mere 50 bucks. But trust me, Speaker—and you know I'm right; trust me—that's just the beginning. There's more to come from this government to the corporate world. This cheque hasn't been written fully yet.

This government is going to pick pockets. It's going to take the hardworking people and the poor and the unemployed and the seniors of this province, grab them by the ankles and shake every last nickel and dime out of them so that the corporate world can enjoy the sort of benefits that are entailed in Bill 6. It's going to continue to abuse our weakest and our poorest and our working people so that the corporate world can continue to enjoy benefits.

It's going to leave the banks, the sacred banks, free to engage in their pillage and rape of small businesses, because who are the victims of banks? It's the small business people. It's the real small business people; not the corporate world, but the real small business people. Those are the victims of the banks and their unconscionable policies and the lack of any effective regulation of them and their excessive profits.

If this government wants to enhance the role of small business, then take on the banks and tell them, "You will not be permitted to pocket in excess of \$5 billion in profits when everybody else is being told to tighten their belts." Take on the Frank Stronachs. Let him take a hit with his \$47-million income last year. Let Frank Stronach pay off some of the deficit. Let him pay off some of the deficit.

Don't tell the people in Welland-Thorold that they're going to bear the brunt of Mulroney Tory policies at Ottawa with his free trade deal and Jean Chrétien's subsequent NAFTA deal. Don't tell my people in Welland-Thorold that they've got to take the hit for the folly of Brian Mulroney, the Tory, and Jean Chrétien, the would-be Liberal. Don't tell my folks that, Speaker. Don't tell my folks from Welland and Thorold that by relieving the corporate world of those \$50 filing fees, my small businesses are going to become any more prosperous. They're not.

The economic statement of a couple of weeks ago was devoid of any job creation policies. Not one. This gang was like Chairman Mao's Red Guard, all waving their little red books in the air and chanting the mantra, the incantation, as zealous as any could be and as misguided as Chairman Mao's Red Guard could ever be, somehow thinking that if we're allowed to touch the hem of Mike Harris, there'd be jobs somehow mystically created. That's not how jobs get created, Speaker. You know that.

The problem with the Liberals, though, is that the Liberals campaigned on what the policies are that the Tories are implementing now. The Liberals, in a remarkable bid of schizophrenia, find themselves at something of loose ends. One day the Liberals are opposed to the Tories; the next day they embrace them. The next day they're opposed to the Tories, and then the next day they embrace them again. In some jurisdictions that type of infrequent and promiscuous contact is illegal.

The Liberals speaking here today tell us that they endorse this policy. Indeed, they've returned to the Lyn McLeod fold of Tory clones, of pseudo-Tories.

**Mr Pouliot:** Maybe they don't. Flip a coin.

**Mr Kormos:** Flip a coin or flip-flop, thank you very much.

**Mr Gerretsen:** On a point of order, Mr Speaker: If he is going to start quoting our policy, at least he should do it correctly and from the right source.

**The Acting Speaker (Mr Gilles E. Morin):** This is not a point of order.

**Mr Kormos:** Needless to say, we're not supporting this bill—no qualms with the streamlining, and that's admirable; no qualms with the fact that there are some minutiae in there that deserve to be tested, and again hoping that this government is ready to revisit it, should some wrinkles appear. But I tell you, to have the taxpayer and the poor and the weak and the vulnerable pay the "chantage" that was accommodated, that was engaged in during the course of the last election—you know, the little mutual, "We'll get you elected if, okay?"—to tell my people in Welland-Thorold that they're to pay for that out of their pockets is wrong, absolutely wrong and will never be tolerated.

**The Acting Speaker:** Questions or comments?

**Mr James J. Bradley (St Catharines):** A very brief two-minute comment on the speech by the member for Welland-Thorold, who I thought canvassed a number of issues that were very important to people in this province. One which I hear him mention that I think is worthy of comment is the level of profits which banks in this country have now reached, at a time when many people in the small business sector are very concerned that they don't have even yet, even with the efforts that banks are making these days, the opportunity to obtain financing from the sources of banks around the country.

Secondly, at the very time that the banks are making unprecedented profits, they're in the process of trying to get rid of people within their organization.

When a company is in a position where it is losing money and where it has become uncompetitive, though one may not like the actions of the company, one at least understands the company undertaking a downsizing and a rationalization. What we are seeing, however, is the banks going through the process of now trying to put machines in to replace people and to encourage people to use these machines as opposed to having contact with human beings.

As a result a lot of people are losing their jobs, and that's on another day and at another time, something this assembly and other assemblies are going to have to address. Where are the jobs going to be? We're really going to have to look at whether the trend we're moving in, the direction we're moving in in our society, is appropriate and whether we're going to have any jobs, particularly for those people who don't have the highest of skills and education.

That was not addressed in this bill today.

**Mrs Marion Boyd (London Centre):** It's quite puzzling to us, and always has been, why the normal cost of business, the \$50 registration fee, is so offensive to the government party. People have many costs of doing business when they own a small business. I wonder if they resent the cost of belonging to chambers of commerce; I wonder if they resent the cost of advertising; I wonder if they resent all the other costs of doing business, and that's all this corporation registration is.

It is making sure that there is an accountability, that the government has a record of who is on record as being the proprietor and the shareholders and the members of a corporation. It is an important information-gathering tool for the government and it ought not to be so offensive that there is a fee.

As I trust we move on to talk about the victim's rights bill, I'd ask people to ponder the fact that the forgone revenue from the \$50 registration fee is a little over \$13 million, I believe, and if the Minister of Community and Social Services were listening, he would know that the dollars taken out of second-stage housing, a very important service for victims of family violence, is much less than the revenue that this government is prepared to forgo. They're prepared to forgo services to victims of crime because of their promise to business in the last election. I think we need to keep that in mind as we go forward and talk about Bill 23.

1720

**Mr Gerretsen:** The only thing I wish to add at this time is that I think the bill doesn't go far enough, quite frankly. I don't understand why they should even be required to file on a yearly basis. There's already a requirement to file whenever there's a change in directors and corporate ownership of a corporation, and why it would be necessary to file on an annual basis is absolutely beyond me. We're talking about over—what?—100,000 corporations that we have in the province of Ontario.

It's not the \$50 that's at stake here. Surely the Tories aren't trying to do their friends in the business community a favour of \$50. That's absurd.

**Mrs Boyd:** That's how they sold it.

**Mr Gerretsen:** They may have sold it that way, but I really don't think that people are that gullible. It's not the \$50; it's the fact that obviously there's a bureaucracy involved in going through these filings on an annual basis which doesn't make any sense. As I indicated before, there are already new filings required whenever the directors of a corporation change. Why don't we just leave it at that and forgo the additional expense that is involved on the government's behalf, not on the individual's behalf but on the government's behalf, of reviewing these more than 100,000 returns that they get on an annual basis?

I say to the government, you didn't go far enough. Get rid of the filing requirement completely and leave it in place for those occasions when the directors of a corporation change.

**The Acting Speaker:** Any further questions or comments? Further debate.

**Mr Mario Sergio (Yorkview):** I wish to add my voice and my support to the bill as it is presented. As my colleague the last speaker, Mr Gerretsen, the member for Kingston and The Islands has said, if there is one area that merits some criticism it is that it does not go far enough.

First of all, I would like to assure the honourable minister Mr Sterling, the member for Carleton, that while the member for Essex South was chairing the session for



a while he made a comment that he wouldn't be able to criticize or attack the bill because he was indeed chairing at that particular moment. I want to assure the minister that we are not here solely to criticize every piece of legislation that is brought forth into this House, but also to recognize the merits; when a piece of legislation is brought forth in the House, to support the good points, to support the merits of whatever piece of legislation is brought forth in the House.

If there is one area that needs some concrete, and I think due, criticism, it is that there isn't too much, I have to say, from the government side, that has been proposed to support, to create work, to create incentives for the small business community. Instead, in criticizing if I may the government side, we have seen that there is absolutely nothing, for example, in the CSR with respect to assisting in any particular way the small business community in Ontario. There is nothing, for example, in the speech from the throne in assisting the small business community from Ontario. There is absolutely nothing in the package which we saw the other day, in the financial statement, which should be the main document which should be changing the fortunes of Ontario.

Really, what has the government done to assist, to improve, to create some incentives to support and ameliorate the small business community in Ontario? I have to say that in this respect I cannot laud the government, because it has been very inactive, very inept in supporting the small business community in Ontario. At that, they have indeed eliminated whatever small incentives we had before for the small business community in Ontario. Of course, the \$50 filing fee is of some help; it's not a big thing.

When we consider that staff in a small company employs between four and eight weeks a year to deal with paperwork, there is a big strain in its operation. And yes, the other regulations, the paperwork, duplication all add to the burden of the small business community. But the important thing that it's missing—it's not that this will go some way to eliminating paperwork, and I don't think \$50 is going to either maintain someone in business or put him out of business—I think is facilitating, improving the atmosphere, if you will, in the small business community. As I said before, up to now we have not seen this coming from the business area.

This is not to maintain the discussion solely around Bill 6. I think every other bill touches in some way the small business community. Let me just mention one without being attacked for not keeping my remarks on Bill 6 directly.

For example, we have seen last week, with the Bill 26 proposal, that colleges and secondary schools are being chopped by some \$400 million. As I said previously in this House, I have one particular college in my area where they have adult education, which is partly funded by provincial government support. What happens now is that one particular college has about 800 adult students. The results of that particular college are staggering, when one third of those adult students, if you will, go back and either find permanent jobs or they go into business for themselves: Not only are they not a burden on society but

they also hire other people and improve the situation. Those are the types of programs that need support, which would help to establish and maintain the small business community.

In answer to the minister's comments and his concerns, I have to tell the minister and the other side that we are here not solely to look at and watch what the government is proposing and doing, but I think we are here as critics, as watchdogs, of what the government does not do or what it proposes and is not adequate to improve the situation, in this case in the small business community.

There are more than some 20,000 non-profit corporations which do not already file a tax return, so what is the purpose of continuing to have these companies file a return on an annual basis? As well, there are some 20,000 non-profit corporations out there.

Our role is indeed to point out to the government side when some of the things that it proposes don't go far enough. It hurts our business community and it hurts our people. When the business community is not working, it means the effects of that trickle down and everyone is affected.

In supporting the bill as it is proposed, I would seriously urge the government to look at other regulations, eliminate other regulations. After all, I think this was one of the aims of the bill when it was proposed, to go even further. They did say that we have got to go a lot further with respect to eliminating unnecessary duplication, regulation and so forth. This is an area I think they should be concentrating on to eliminate some of that.

But I think there'll be help that we'd like to see in support of the small community, and they recognize, we recognize, that it is the small operator, the small business in Ontario that is the real engine that supports our communities, our families, and the many other businesses in the various communities. I recognize that. I think every member recognizes that. I think in every community in Ontario where members are coming from, they don't have the large corporations, and I'm sure that the small business people with three and five and 10 employees are vital to those communities as well.

In terminating my presentation, I would again reiterate my support for the bill as it is presented and I would urge the minister and the government side to continue to look at improving and bringing forth incentives to support the business community, the small business in our community in general.

1730

**The Acting Speaker:** Questions or comments?

**Mr John Hastings (Etobicoke-Rexdale):** I would simply like to echo one of the principal comments made by the member for Yorkview regarding the corporate filing fee, but I think he's getting a little offtrack in reiterating that this government ought to get back into the business of providing business subsidies for small business.

We're out of that business, and I think what small business is looking for is a climate in which they can thrive, in which if they want some marketing consulting or they want some advice from the Ministry of Economic

Development, Trade and Tourism, they can get it quickly. I know previous governments and administrations have tried that approach, but it doesn't seem to ever register inside the bureaucracy for a whole set of different dynamics.

I think the day of the business subsidy is dead, because even in this House members realize that they can no longer subsidize their own meals in the legislative dining room. Even the honourable member for Oriole has echoed that viewpoint.

The philosophy, utilization and effectiveness of business subsidies is at an end because they have proven at any level of government to be pretty ineffective tools in helping small business. Get out of the way of the entrepreneur and let him or her get on with the job.

The Atlantic provinces economic opportunity agency is an excellent example of a boondoggle run by two previous federal administrations, and it has not produced results. What it has done, it has rung up a hell of a lot of money in the cash register of waste and unaccountability in terms of where the funds went. When you have business subsidies and you have a bureaucracy running them, they're usually pretty loose with the accountability in terms of value and where the actual dollars go.

Finally, I think the corporate filing fee, creating an effective climate for business to operate in this province, is the direction in which to go, and we are headed in that direction.

**Mr Gerretsen:** I would just like to comment on my friend the member for Yorkview's excellent speech, but also on the comments from the member opposite. I agree that right now we're in a climate where business subsidies are certainly something that are frowned upon by the general public, and rightfully they should be, especially since we're in a time when the most vulnerable in our society seem to be taking the largest hit with respect to any cutbacks by government.

But I would suggest to the member that there are times when governments of all stripes—be they New Democratic, be they Conservative, be they Liberal, be they federal, be they provincial—have found it necessary, in order to ensure that a business is going to be maintained in a particular set of circumstances and is going to provide jobs in a particular area, to in effect give subsidies to businesses, both large and small.

There are all sorts of examples that we've had over the last number of years. It may very well be that in some cases it didn't work out in the long run, but I do believe that a government has a responsibility to look at not only the dollars that may be invested that way, but also the other returns that they may get out of it, the main return being continued employment and hopefully continued productivity for the firms involved.

The problem with what he's suggesting is that yes, in this climate we're in right now, certainly business subsidies shouldn't be—it should be made abundantly clear to businesses that government should not be into that business, especially when we're running the kind of deficits that we have run in this province over the last five years. But will they be required in the future? I

would suggest that only the future will determine that and I don't think we ought to be as categorical as the member suggested.

**Mr Sergio:** Just briefly to touch further on that, I want to address some of my remarks again. What I was intending to say is that I think it is the aura, if you will, that we create in our business community and it is the confidence that is missing in many areas with respect to creating business or supporting business.

As you know and as I think every member of this House knows, the market is not so hot out there and I'm not so sure that we're pulling out of a recession, if you will. I think if there is any indication, we are going the other way; I think we are going towards a recession. So it is not a question of putting money into business to put people in business, but I think they need a lot of moral support. I think they need to have confidence in this government and what the government is doing, and I think it reflects not only on the individuals but also on the business community.

If they see that good approaches are coming out of the government side, the business community is inspired with confidence, as also are others, and they keep moving on. That was my intent with respect to assisting business people: to make sure that we do provide those incentives, if you will, to create a mood of confidence, a mood of trust that the government is moving in the direction that it's not penalizing the small investors or small business people and so they don't keep their money in the bank or move elsewhere.

The big corporations are restructuring and, believe you me, the money that they save by restructuring they are not reinvesting here in Ontario. Whatever we can do to assist the small operator, either with small incentives or to build confidence, I think goes a long way.

**Hon Mr Sterling:** I'd just like to thank those people who were involved in the debate. I want to answer some of their questions, or perhaps it didn't appear in the form of a question, but they begged the question.

One of the questions that the member for Kingston talked about in terms of going further—and that was my immediate reaction: Why not go further? Why not do away with the annual filing process? Actually, that was done back in 1978 and there was only a requirement put on corporations to file with the ministry any changes that took place.

What happened, just by chance really, is that in 1992 they switched from a paper record to a computer record and they found at that point in time, as they were switching from one form to the other and then started to check back into the records, that about 85% to 90% of the records were incorrect. We basically had a system which was in all intents and purposes useless, because the information was not up to date.

There was a decision by the government at that time to implement this annual filing and, together with it, a \$50 fee. What I objected to was, number one, the imposition of a fee, but the imposition of a fee which was not in any way justified by the amount of cost that it incurred with the government to put the process in place and to take in



the information, to send out the information, to put it on the computer and to put it into the system.

I think that basically my philosophy is that this kind of fee should not be used as a tax, which is sort of suggested by the member for London Centre, that this is an opportunity for the government to use a fee in terms of filing some information with the government as a form of taxation. That is not our intention. Our intention is, if we want to tax corporations, we will tax corporations in terms of the normal taxation process. Generally speaking, fees, in my view as a minister, should be in relation to the amount of work/cost to the government to implement and to work that process.

1740

What I was saying in my opening remarks was that we sell 300,000 pieces of information to the public a year. So even though we're not charging the filers who provide us with the information to put into the system, overall we still cover off the cost of putting that information in because we get paid for the information coming out. There's no loss to the taxpayer in terms of the actual process and the fee put forward.

I want to talk also about the fact that the member for Welland-Thorold talked about corporations as somehow being large organizations. I want to tell him that this legislation does away with the \$25 annual filing fee for 25,000 to 30,000 non-profit corporations across this province. I wonder if he supports that. Does he support doing away with the corporate annual filing fee for all of those firms across the province of Ontario that are incorporated?

There are many small businesses that are incorporated, because people know, in a family business, if you have more than one sibling that you want to share the business with, often the best method of doing it is to incorporate your business so that you can divide the shares of that corporation in varying proportions between the children of the originator of the business.

Many, many corporations—in fact I would say without hesitation probably 300,000 of the 350,000 corporations—probably have less than one or two shareholders, probably have an asset base of less than \$100,000 and are what we would term family businesses.

This whole notion by the third party that corporations connote huge corporate entities is entirely false in terms of the bottom line of it all, and I thought it was important to put those issues on the table.

The other fact I would also bring to members' attention is that the experience of the ministry is that 30% to 50% of the information becomes inaccurate in a one-year period. So I guess the maximum you could go would be two years in order to keep the information up to date.

We will be the only province without a corporate tax filing fee. They vary from \$10 to \$70 across Canada. But I believe that because of the excessive fee charged originally by the former government, we hit a flashpoint with business, and no government could have justified that \$50 fee.

**The Acting Speaker:** Mr Sterling has moved second reading of Bill 6. Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Shall the bill go for third reading? Committee of the whole House.

**Hon Mr Sterling:** Mr Speaker, with your indulgence, I would like to ask unanimous consent to revert to motions in order to deal with private members' bills tomorrow.

**The Acting Speaker:** Do we have unanimous consent? Agreed.

## MOTIONS

### PRIVATE MEMBERS' PUBLIC BUSINESS

**Hon Norman W. Sterling (Minister of Consumer and Commercial Relations):** I move that Mr Agostino replaces Ms Castrilli in the order of precedence for private members' public business and that notwithstanding standing order 96(h), the requirement for notice be waived with respect to Mr Agostino's ballot item.

**The Acting Speaker (Mr Gilles E. Morin):** Agreed? Agreed.

*Report continues in volume B.*







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## Legislative Assembly of Ontario

First Session, 36th Parliament

## Assemblée législative de l'Ontario

Première session, 36<sup>e</sup> législature

# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Wednesday 13 December 1995

Mercredi 13 décembre 1995



Speaker  
Honourable Allan K. McLean

Président  
L'honorable Allan K. McLean

Clerk  
Claude L. DesRosiers

Greffier  
Claude L. DesRosiers



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# LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 13 December 1995

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 13 décembre 1995

*Report continued from volume A.*

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## VICTIMS' BILL OF RIGHTS, 1995

## CHARTRE DE 1995 DES DROITS DES VICTIMES D'ACTES CRIMINELS

Mr Harnick moved second reading of the following bill: Bill 23, An Act respecting Victims of Crime / Projet de loi 23, Loi concernant les victimes d'actes criminels.

**Hon Charles Harnick (Attorney General, minister responsible for native affairs):** We introduced this bill for first reading but a couple of weeks ago and the basis upon which this was introduced was the fact that this government will not accept a system that allows victims of crime to suffer twice, first at the hands of the criminal and second under a justice system that does not respond to and respect victims' needs.

This legislation is a major step in righting the balance between the needs of victims and the rights of the accused. It is one of the most comprehensive victims' bills of rights in this country. This bill meets our commitments to Ontarians to bring forward a victims' bill of rights, something we promised during the last election campaign, and it'll bring, we believe, meaningful change to the way victims are treated in the criminal justice system.

These changes should have been brought in a long time ago. The previous two governments both had an opportunity to pass a victims' bill of rights when it was proposed by Cam Jackson, the member for Burlington South. Mr Jackson first introduced a bill of rights in this Legislature in 1989.

This bill establishes a set of principles that sets out how victims should be treated in the criminal justice system. We will give them the recognition and the support that they deserve. Supporting victims' access to information at all stages of the criminal justice process, including conditional release of offenders from institutions, is something that I should think is basic, fundamental and should be recognized, and the Victims' Bill of Rights in fact does that.

This bill also enshrines the victims' justice fund, guaranteeing that money collected under the victim fine surcharge will be solely dedicated to providing services for victims.

The bill makes it easier for victims to sue their assailants in the civil courts by recognizing certain automatic liability and automatic damages existing in certain situations for certain crimes that will be enumerated in the regulations to the bill.

The bill is also very significant in that it amends the Ontario Evidence Act and adds to the Ontario Evidence Act very specific provisions to protect children who are

witnesses in courts and court proceedings in the province of Ontario, something long overdue, something that in fact we were lagging behind the Canada Evidence Act in this respect, and this is a very, very significant part of this bill.

We are taking action to restore justice, fairness and victims' confidence in the justice system. The people of Ontario have demanded these changes and we are taking action.

Bill 23 is a codification of in essence the importance of victims who are coming through the justice system to aid the system of justice in giving evidence about what has happened to them and says, most importantly, that victims should be treated with courtesy, compassion and respect for their personal dignity and privacy by justice system officials.

I know that there will be those who will say this is nothing but fine words; this is nothing by window dressing. In reality, that is a simple way to brush off what should be written down and what should be recognized and what should be understood on behalf of victims, because when victims come to the justice system, they are generally strangers to this system and if we can give them some assurance of what they can expect and how they can expect to be treated, then they who are doing a service to the system of justice can recognize and be assured that they will be treated properly. I don't think that this is window dressing, I don't think that this is trite and I do think that the system of justice tries very hard now to do all of these things in a huge system and we try and do them very well.

The people who work in the system attempt every day to look at all of the things that are in this bill and to implement them in the course of their day-to-day jobs within the justice system. But what is important about this bill is the fact that there is a recognition that those who come to the system as strangers to it can now know what they can expect and they can now know how they should be treated and they can now know how they will proceed in terms of the cases they're involved with through the justice system.

I think that's important. I think it's important to recognize what they do for the system and how the system should treat them. I think it's important as well to provide the protections we're providing in terms of the use of civil proceedings that are found in this bill and to look at the issue, as I indicated earlier about the Evidence Act and the protection of children and as well to codify the victims' justice fund account so that we can indicate quite clearly where money that comes from the fine surcharge is going to be going, how it's going to be dedicated so that the money won't go to purposes for which it wasn't created, as we've all seen happen in this



Legislature before when certain funds are dedicated to go to a certain place and they just don't get there. They go into consolidated revenue and they disappear into that black hole, as we've seen and as so many people in this Legislature can attest to.

Those are the remarks that I have for second reading, and I look forward to the balance of this debate.

**The Acting Speaker (Mr Gilles E. Morin):** Any further questions or comments? Any further debate?

**Mr James J. Bradley (St Catharines):** This is a bill which will have, I think, a strong consensus in the Legislative Assembly among members of the three parties. I can well recall in the last Parliament, there was a considerable amount of discussion of the rights of victims and the possibility of some legislation which would assist them. While this bill is not going as far as some out there would like, I'm sure, because one of the things it mentions is within the realm of fiscal responsibility which is always a confining factor in a bill, nevertheless, it is a bill which will be, I think, helpful to the victims of crime.

Those of us who reside in St Catharines are well aware of some of the higher-profile cases that have taken place, and as a result, people in our community are well aware of the difficulty confronted by victims and the families of the victims of crime.

Doug and Donna French, who are the parents of Kristen French, have been thrust into the media limelight, not of their own wish, not of their own desire, but because of unfortunate circumstances which have confronted the family.

As a result, we who observe the court proceedings and the criminal justice system have seen these individuals going through very difficult circumstances, circumstances that are first of all extremely costly to themselves. If we were to calculate the amount of that cost to the victims' families in the cases that I mentioned, of Leslie Mahaffy and Kristen French, I think we would find that there would be well over \$100,000 in terms of legal fees and other costs incurred, and some of those costs continue to mount.

Fortunately, some people in the volunteer sector have established some funds that are of some assistance to these individuals, but the Attorney General mentioned some of the circumstances that are faced by victims—and indeed, this was the case with the French family, who are constituents of mine—the role that they play in terms of wanting to seek information, of wanting to see justice at all stages of the process; they, I think, were somewhat concerned, as they've expressed this publicly, with some of the plea bargaining that goes on. I am not a lawyer, I'm not involved in the legal system, I only observe it from the outside and can understand some of that, but I'll leave that to another day.

Also, a good friend of mine, Sandie Bellows-DeWolfe, was a victim of a rather horrific crime which involved kidnapping and assault. After her trial, the assailant was placed in jail, and after a period of time of some healing, though I don't think time can ever heal the circumstances that confront some of the victims of crime, she shared with people in our community and the province and the country some of the problems confronted by victims.

That's why, when people say, "Why do you need a bill of this kind? Why would the Attorney General want to see this bill through this session?" that is the answer to that question.

I want to, as well, pay tribute to my colleague Annamarie Castrilli, the member for Downsview, who has expressed concerns about this field and had a private member's bill before the House, which she withdrew because she knew that the Attorney General was bringing in a bill. I know that much of what the Attorney General has in his bill, the thoughts behind it probably came from Ms Castrilli.

**Hon Mr Harnick:** No, it all came from Cam.

**Mr Bradley:** I'm hearing something else. I don't think the Attorney General expects me to pay any tribute in that direction, but I can say that Annamarie Castrilli had played a significant role.

I want to also take this opportunity, while the Attorney General is with us, and on the issue of victims of crime, to commend him on his quick action in dealing with a house which became a symbol of horrific crimes in my community. I addressed a letter to the Attorney General in September; I had the St Catharines city council endorse it through a request of mine to them so that he would see that it was a community endorsement. The Attorney General responded promptly to that letter, and I know he gets volumes of letters, in a cautiously positive way, as only he could at that time, because of the trial not being completed in all of its stages. Subsequent to that, when I addressed a question in this House to the Attorney General, he responded in a positive fashion at that time. But that points out again what victims see, the evidence which is tangible that continues to exist and how a government can assist.

One interesting aspect of this bill the Attorney General is well aware of and that every Treasurer should be aware of is the designated funds. Trying to get a Treasurer or Minister of Finance to agree to designated funds is like pulling teeth. In this bill he has indicated that some of the money that would come from additional fines, surcharges on fines, will be going into a special fund to assist victims and that that is designated; I don't know how firm that's designated but at least it's implied that that money is going to be there for those purposes.

**Mrs Marion Boyd (London Centre):** Currently in the Provincial Offences Act.

**Mr Bradley:** Currently in the Provincial Offences Act, according to the former Attorney General.

**Mrs Boyd:** And you should recall that we passed that.

**Mr Bradley:** —who I believe was responsible for bringing that bill to the House for our consideration and passage.

**1800**

I believe what the bill sets out to do is helpful, that is support victims throughout the criminal justice process by providing them with supportive, respectful and courteous treatment, and that's very important.

I think those who know the system better than I know that that hasn't always necessarily been the case, and I think putting it in writing, putting it in an act of the Legislature is going to be helpful.

To support access to information at all stages of the criminal justice process again is going to be helpful to those who are the families of victims and the victims of crime who would like to have that information available to them to support access to civil remedies for victims who are seeking redress. There are instances where they want to go not the criminal justice route but the civil justice route to be able to seek redress, and that is helpful when that can be facilitated by legislation.

To support child witnesses by amending the Ontario Evidence Act to make it easier for children to be witnesses at civil proceedings, again that is of assistance, I believe, to the victims of crime and their families, and to support the provision of better information to victims about the conditional release of offenders from provincial institutions.

If there's one thing that scares people, it's that the person who committed a crime is going to be coming out of the institution, and I think they like to be aware of that information and not have it be a surprise, so that they can take whatever action is necessary themselves to ensure that their own safety is protected as well as it can be.

I mentioned the victims' justice fund and that it guarantees that the moneys collected out of the victim fine surcharge be solely dedicated to providing services for victims.

So, on behalf of at least myself, I am supportive of this legislation as far as it goes, and I look forward to its passage by the Legislative Assembly.

**The Deputy Speaker (Mr Bert Johnson):** Comments and questions?

**Mr Pat Hoy (Essex-Kent):** The member for St Catharines touched on events that happened in his riding over the past some time now, and I think the public recognizes now that the incidence of violent crime is increasing. The level of violence for some reason is becoming almost indescribable.

Our society has spent a long time and energy and money dealing with the criminal element, from police forces through the court system, incarceration and rehabilitation. But the idea of victims of crime and any consideration for them, although maybe in a local nature there was a sympathy there, there was never anything that went beyond that, and I think this bill is timely and well placed.

I want to say that the violence we see today is becoming, as I said, indescribable. I just want to mention to those in the House, the 19 that are here now, that in the United States, for the one known or found serial killer at any given time, there are estimated to be another 100 out and about in the public.

So I think this incidence of crime is becoming more profound, as I said, and I will gladly and wholeheartedly support this bill.

**The Deputy Speaker:** Comments and questions? Further debate?

**Mrs Boyd:** Of course, the Attorney General is quite right, that any time we affirm, as a society, in any way, shape or form, the concern that we have for victims of crime, the need that we have constantly to be mindful

that victims of crime have already suffered greatly from the criminal activity of those who have attacked them in any way, we are doing the right thing. So I think you will find in this House everyone being supportive of the purposes behind reaffirming our support for victims of crime.

I have a number of comments about this bill, however, because I think it's very important that, although this is a good step forward in terms of affirming the needs of victims of crime, it is a statement of principles. Except for the portion that deals with the child in relation to the Evidence Act, it has very little in it that really will make a difference to victims of crime.

I think we need to acknowledge that and I think we need to have on the record exactly what this bill does and doesn't do, because I think there are great expectations out there, raised quite legitimately by the member from Burlington over many years, about the fact that if we have a Victims' Bill of Rights, suddenly the world will be different for the victims of crime. That of course is not the case.

I'd like to start with the child evidence part of this act, because this is a very, very important step forward. It is a piece of legislation that has been prepared within the ministry for some time, ever since the Criminal Code child evidence at the federal level was changed, and for many different reasons simply never made it on to the agenda of this Legislature before.

The Attorney General is to be congratulated for bringing it forward. It is a very important part of the picture for children who find themselves, through no fault of their own, embroiled in the civil aspects of the legal system which are controlled by the province. The paralleling of many of the provisions with the provisions that have pertained under the Criminal Code, and indeed have been upheld by various levels of courts in this country, are very, very welcome indeed.

I think the minister will find himself congratulated by all those who work in the child welfare area, by those who work in the family law area. It is an important step forward, and he certainly has our support in doing that.

Similarly, although the issue of the fine surcharges, the special accounting for that, the assurance that those funds would go only to victim assistance, currently exists within the Provincial Offences Act and the government has felt it is an important gesture to move that into this bill, it certainly maintains a position that we took that was widely supported by victims' groups, and that in these times of real fiscal restraint gives some hope at least to victims that the kind of assistive services that they need when they are going through the justice system may be there when they require them.

In these hard times I can imagine that the Attorney General had to fight very hard to maintain that special fund. All of us who've been in government know that finance ministers, almost by requirement, have to fight special-use funds, so the minister is to be congratulated for having maintained that and put it into a codification that really ensures that there is an understanding among the people of Ontario that those funds will be collected and directed only to victims' services.



I would say to the minister that I hope his ministry does a better job of making sure that every person who sits on the bench, every justice of the peace, every crown attorney knows the importance of ensuring that those victim fine surcharges are indeed asked for and are collected and in fact swell that fund. Because, quite frankly, I must say in self-criticism, we did not do a good enough job of that, and there are many justices of the peace and judges in this province who still are sceptical about whether or not that fine surcharge will be directed to victims.

I think that it is going to be important as part of the publicity that surrounds the passing of this bill to ensure again that those who are working within the field understand the importance of having that separate fund and have an assurance that all of those funds will in fact go to victim assistance. I think that's very important.

I'm less impressed by the rest of the bill, and I've said that to the minister in response to his statement announcing it. There are a number of reasons, and I think I'd like to get those on the record fairly briefly because I know we have a lot of business to do tonight.

First of all, it's very important to understand that this portion of the bill is very different from what the member for Burlington South brought forward. The member from Burlington's bill was very clear about the kinds of services to which victims were entitled. It's not surprising that the titles of the act are quite different. The member from Burlington's bill, Bill 19 in the last Legislature, was entitled *An Act to establish the Rights of Victims of Crime*. This bill is *An Act respecting Victims of Crime*, and of course we should respect the victims of crime, but it really means something very different.

1810

In the member from Burlington's bill, one of the most important sections was paragraph 2 of section 2:

"Victims should have access to social services, health care and medical treatment, counselling and legal assistance responsive to their needs."

Nowhere in this bill that's in front of us is there an assurance that victims should have access to any level of service of any kind. That is an extremely important difference between the member from Burlington's bill and the bill that's in front of us now.

The member from Burlington's bill was very important to the blueprint that the government members put out as part of their platform for the last election, and those words about victims having "access to social services, health care and medical treatment, counselling and legal assistance responsive to their needs" were part of that blueprint. We must not lose sight of the fact that that blueprint is not present in the bill in front of us, and in fact the bill in front of us shows a great retreat from that aspect.

Now I should hasten to add that one of the reasons I, as Attorney General, did not endorse the bill from the member from Burlington was that, given the fiscal circumstances, given the difficulties that we were facing in a budgetary sense, we did not believe it was appropriate to hold out false hope and to tell people they had a

right to services that, indeed, in every part of Ontario might not be immediately available to them at the time that they first required them. We very honestly said, "We cannot commit to that in any meaningful way and it is not appropriate for us to pass that bill in that way."

I understand entirely why the government, given its fiscal circumstances, given the fact that they've already changed access to social services, that they've already decimated the health and medical services that are available to victims of crime; given that counselling dollars have been withdrawn from virtually every area, and counselling dollars that were extraordinarily important to victims of crime, particularly the victims of crime who are given special status in this bill—victims of domestic assault, victims of sexual assault—it is not surprising to me that we do not find that clause in this act.

I know that the Attorney General has been approached by the Ontario Association of Interval and Transition Houses about this omission and about the import of this omission and about the fact that this omission has not been publicly admitted by the government to this point and needs to be.

In the definitions in the act, the definition of "victim" is as follows:

"'victim' means a person who, as a result of the commission of a crime by another, suffers emotional or physical harm, loss of or damage to property or economic harm and, if the commission of the crime results in the death of the person, includes:

"(a) a child or parent of the person, within the meaning of section 1 of the Family Law Act, and

"(b) a dependant or spouse of the person within the meaning of section 29 of the Family Law Act."

Similarly, in the section on civil proceedings, the presumption of the suffering of emotional distress again depends on the meaning within section 29 of the Family Law Act.

It's important to know that people who are in the gay and lesbian community are only now beginning to break silence about the violence that happens within their domestic circumstances. This bill, of course, relying on the definition within the Family Law Act at this point in time, means that those persons are not considered victims under this act and are not considered to have presumption of redress under the civil law provisions.

I think that's a shame, because, as has been true with all of the issues around domestic violence and around sexual assault, it is extremely difficult to support those who are only beginning to break silence about a very hidden problem. Unfortunately, this bill gives no encouragement for that continuing breaking of the silence in that particular community.

As we go through the principles, it's very important for us to understand and to make sure that victims of crime and their families understand the import of the language. Those of us who've negotiated collective agreements know very well the difference between the word "should" and the word "must." In this bill, these principles all state "should," as did the member for Burlington South's bill.

In other words, we are stating principles that have not got any effect in terms of an assurance that those items will be provided to the person. In other words, there's no onus, no requirement on the part of anyone to provide these things. We're simply acknowledging publicly that in the best of all possible worlds that should be the situation.

As the Attorney General has said, that may be valuable in some ways. It may remind those—and indeed the whole system of serving victims is very much under attack by certain segments of our society. Certainly victims of domestic abuse—we see a constant barrage of literature from those who would see the special recognition of that particular and costly problem denied in this society, so it's important for us to state what “should” be in these cases. But it's important to victims to understand that it is a statement of principle and not a statement of what will necessarily be available to them at any particular time.

In that section of principles there is a real problem in terms of the way the new bill, Bill 23, outlines what happens as opposed to the member for Burlington's bill. The member from Burlington very carefully understood that unless you assign some of those “shoulds” to specific sectors, to specific jurisdictions—of the police, of the crown attorney, of the parole board, of probation and parole—unless that is assigned, everyone will say to the victim who goes seeking that information, “It's not my jurisdiction.” We have seen that happen again and again in this province. We see the police tell victims of crime, “It is not my jurisdiction to tell you that this person has been released,” and you will see probation and parole tell people that it is not their jurisdiction to do that, or they can't because of freedom of information and privacy.

So it's really important for us to understand that the lack of assignment of these duties to specific sectors makes it impossible for victims and their advocates to assign the accountability and the responsibility that ought to be here in the act.

It contrasts very strongly with the directives that our government and the Liberal government put out to police services and to crown attorneys around the investigation and prosecution of these crimes in the domestic assault area and in the sexual assault area. Very clearly in those directives, which are public information, there is a clear onus upon crown attorneys and upon police officers to provide information, to provide the kind of sympathetic services that indeed are outlined as principles in this act.

It is that kind of practical directive that ensures accountability up the line, right to the Attorney General or the Solicitor General, whichever case it is, that really means a difference for victims of crime. I think it's important for us to know that what we are doing here is not really giving that kind of accountability.

We do have other mechanisms to do that. Having this as legislation in fact gives force, I suppose, to those very directives that are already in place and I hope will ensure the intention of the government to ensure that those directives do stay in place, because I know that the Attorney General is under some pressure to particularly withdraw from some of the areas around domestic assault and sexual assault. I sincerely hope this will give him the

strength and the courage and the legislative background which will enable him to resist that kind of pressure.

One of the provisions that is missing in the principles is the right of victims of crime not to be harassed in terms of their personal information. One of the real issues that we have today is the current tactic of defence attorneys to attack the victim of crime and try and go into that victim's medical history and try and bring out all sorts of factors in that victim's private life to intimidate that victim in terms of presenting testimony, and indeed to attack the credibility of victims of crime. That's particularly true in the sexual assault and the spousal assault areas, but indeed we see that this may happen in some other areas. We have seen victims of muggings accused by defence attorneys of somehow calling that kind of crime upon them, particularly if those people happen to be prostitutes, happen to be people who in other ways have not got what is considered generally to be a good character.

1820

I think it's very important for us to understand that a victim of crime is a victim of crime, whether or not that victim may indeed in other aspects have victimized another. We really need to be very clear that if we're talking about principles, we're talking about principles for everybody. But nowhere here do we see a provision that ensures victims of crime who have the courage to come forward that indeed they will not be the ones victimized. The principle is there. We say we should not do that and the criminal justice system should not do that, but in fact that's not the case, nor, I should say, in the civil justice system.

The limitations in subsections 2(2), (3), (4) and (5) of the act are very serious and people must take account of them. The principles set out in subsection 2(1), all those principles that we talked about, are subject to the availability of resources and information: what is reasonable in the circumstances of the case, what is consistent with the law and the public interest and what is necessary to ensure that the resolution of criminal proceedings is not delayed.

This section does not tell us who makes those decisions. It does not tell us what subjective decision-making goes into determining that in fact there aren't enough resources to inform a victim of the dates and places of all significant proceedings that relate to the prosecution.

I know crowns' offices that are very pressed in terms of the work they do to try and find those who are going to testify in cases. This is a really serious, it seems to me, problem, to give an out to people that relies on available resources without saying who makes the determination of what resources are available. That's a really important issue.

I think the Attorney General meant this to apply to expectations around social services, health and medical services, counselling services and legal aid. I suspect that's what was intended there, but I would tell him that as the crunch comes in terms of the administration of justice, police forces and crowns' offices and corrections facilities and probation and parole are constantly looking for ways to avoid the costs of their particular part of the pie.



I'll give you a good example of the ongoing ridiculous fight that is happening in my own jurisdiction of London around who's going to pay for lunches for prisoners who are coming from the local jail facility to the courthouse. This has raged on for two years now and it's an absolutely absurd jurisdictional fight that continues to go on. It goes on when the person who is in charge of both Correctional Services and the Ministry of the Solicitor General happens to be the same person, ought to be able to be resolved fairly quickly. I would say to the Minister of the Attorney General that when you go between two people who are ministers, as well as two different aspects of a particular ministry, you run into even further problems, and he should be aware that's a problem in this bill.

It is very important for people to understand that, again, like in Bill 26, the government has made sure that all of this is meaningless by saying, "No new cause of action, right of appeal, claim or other remedy exists in law because of this section or anything done or omitted to be done under this section." What that means is that if a victim of crime finds himself or herself treated in a way that is inconsistent with these principles, there is absolutely no recourse. There is no way, there is no appeal; there is no way in which you can do a complaint that is new under this bill. Of course there's the police complaints commission and the whole way in which that goes, and there is of course a complaints process within the Ministry of the Attorney General. But there is nothing here that gives anything new to victims of crime—nothing.

Under the civil proceedings, again it is good to have some support for people who do go forward with civil proceedings. What makes me nervous in this section is that we already have the victims of crime compensation act in this province, which was set up to prevent victims from having to go through a long and very difficult process of going specifically for damages themselves. That was why it was set up, and in fact what this does is throw the onus back on to victims to go out and sue their victimizer and have to carry on over, as the minister knows, usually many years a process that may continue the pain instead of helping the healing from the victimization. That's a real problem, because there's nothing in here that provides for those who do not already have the money to pay a lawyer to take these actions or the money to file these actions to take that action.

It is again a provision that only for those people who can afford legal help will they get it. We know that legal aid is not going to be available for this kind of civil action under the announced solution that was done today under legal aid. What we really are doing is saying to people, "You have the right to sue, but we know that unless the Law Society Act is changed it is not going to be possible for you to have contingency fees that allow you to sue."

The minister's nodding, and I hope that means he is prepared to introduce into this House the changes under the Law Society Act that now reflect the decisions of the Law Society of Upper Canada, and that includes contingency funds. That would certainly make this a much more meaningful situation.

**Hon Mr Harnick:** It's coming, Marion.

**Mrs Boyd:** I'm glad to hear that it's coming.

I would say that under the regulations and under the prescribed crime conditions in this area, I know that the presumption of emotional distress is there for victims of assault within a domestic setting—except for those, of course, who are same-sex partners—and the victim of a sexual assault or an attempted sexual assault, and that's good because we know, when we look at the statistics of the victims of crime compensation act, those who have come forward under that, that these are the most painful issues, most often of victimization, and I'm delighted to see that there. That certainly has been the way the act has been applied by the board in that case and it's great that it's there.

I would really have preferred to see the whole issue of the new stalking law added there, because the emotional distress factor under the stalking law is probably one of the most widely known issues that happen. It has only just been a crime for a little less than two years now in Canada and it is still in its infancy in terms of the prosecution and in terms of measuring the success of prosecutions under stalking, but we all know that some of the most celebrated cases that have occurred in this country have occurred in a situation where someone is pursued unreasonably by someone who may or may not have been a partner, may or may not come under the presumption—if they have been a spouse, then they might come under the presumption—that is there. But I think that is one of the prescribed areas that it would be a good thing for us to look at and it comes to mind immediately.

I think we will all support the act as it is. Not supporting it would be very similar to not supporting apple pie, as the member for Halton North would appreciate, but I think it is really important that we all, in talking about what is accomplished with this act, not hold out false hope to victims of crime. Very often victims of crime assume that because the police have investigated and charges have been laid, the outcome is going to be some sense of satisfaction for themselves through the criminal justice system, some lessening of their own pain, and we all know that's not always true. In fact the pain can be worse, and that's exactly what the minister is trying to ameliorate in this bill.

I think we need to be sure that victims of crime do not think that this act gives them something that is going to automatically mean that the pain of their victimization is going to disappear; it won't. But if anything in this act makes us more responsive, more mindful and more caring and compassionate about the effect of crime on its victims, then it will be worthwhile.

1830

**The Deputy Speaker:** Comments or questions? Further debate?

**Mr John Gerretsen (Kingston and The Islands):** I would just like to make a few comments with respect to this bill and tell you a little bit of my own experience in dealing with victims who have been involved in the criminal system.

First of all, as a new member, I find it somewhat baffling, quite frankly, that this legislation has not been

here before. I've heard a lot about what the previous two governments were going to do, I guess, at one time or another, and I'm somewhat surprised that nothing has been done in this regard earlier.

The second point I want to make is that to a certain extent, although the bill itself is laudable, there's quite a bit of window dressing involved as well, and I would just like to pick up on some of the comments that the member for London Centre made.

Perhaps the Attorney General in his response will be able to deal with these issues. Maybe he could indicate why the preamble to the bill doesn't say, "The people of Ontario further believe that the justice system must operate in a manner that does not increase the suffering of victims of crime." I realize the legalese way of doing it: that by using the word "should," then presumably somebody can't take action against the crown or whoever's involved to ensure that it happens or to make sure that the bill wasn't complied with.

The same thing in the general principles that are set out in the second paragraph, where it states:

"The following principles apply to the treatment of victims of crime:

"Victims should be treated with courtesy"—well, I think they must be treated with courtesy—"compassion and respect for their personal dignity and privacy by justice system officials."

You almost wonder why this is in here, because it has certainly been my experience over the years in dealing with both the police and certainly the crown's offices, that in a lot of cases, maybe not in all cases—and maybe that's why this bill is here; I'm not quite sure—a lot of the principles that this bill talks about have already been complied with and have been in effect in this province for some time.

Maybe by codifying it we can ensure that it will continue to happen. But I would suggest that by not having a word like "must" in there and also with respect to the second part of section 2 in which it states, "Victims should have access to information about," and it lists about 20 different categories—I don't understand why it doesn't say "must" there either, because it's just a permissive piece of legislation this way and there's really no force or penalty behind it in the event that these provisions aren't adhered to.

That really leads me to another point which I can't understand: why there is no penalty clause in this bill at all. There's no penalty clause that in effect states what happens to those people who are dealing with the victims of crime if the provisions of this act aren't being adhered to. It seems to me that leaves the ministry with an easy out.

I suppose they could say that they're sorry and that it won't happen again and the next time the victims will be taken into account, but in the particular case that may be at hand at that time, it's just too bad. There's really no sanction on the different offices involved in providing the victims with the necessary information to ensure that it's going to happen. It always seems to me that if you pass a law that doesn't have a sanction provision to it or some

sort of a penalty provision to it then, quite frankly, you have a law that doesn't have any teeth to it at all.

What makes it even more distressing is subsection 2(5), which clearly states, "No new cause of action, right of appeal, claim or other remedy exists in law because of this section or anything done or omitted to be done under this section."

That makes it crystal clear that this is a good intent, and I suppose it'll go out to all the various offices that will deal with victims, to the effect that these are the principles or guidelines that should be followed, but if they don't, there no sanction there at all.

I think the only way that victims could truly be protected in this province in situations like this is if we had a kind of a penalty clause that insisted that if the provisions weren't adhered to, somebody, in effect, would pay the price for it.

I would also be interested in finding out from the Attorney General how much money he estimates there will be in this fund at the end of one year, because I certainly don't have any notion as to how much money we're really talking about.

Certainly, the changes to the Evidence Act are necessary, but I think that there will be some sections there that will keep some lawyers busy for quite a period of time, especially section 18.6, which I'm sure is well-intended—I know it's well-intended—but where it states:

"The court may prohibit personal cross-examination of a witness under the age of 18 by an adverse party if the court is of the opinion that such a cross-examination,

"(a) would be likely to affect adversely the ability of the witness to give evidence; or

"(b) would not be in the best interests of the witness."

It goes on to say:

"(2) If the court prohibits personal cross-examination by the adverse party, the cross-examination may be conducted in some other appropriate way (for example, by means of questions written by the adverse party and read to the witness by the court)."

I know what's intended here, and certainly youngsters under the age of 18 do need protection in certain situations, but on the other hand, the accused has a right as well to cross-examine a witness. My colleague here tells me that it's already in the federal act, so I'm sure that the section has been tested on a number of different occasions.

I don't want to prolong this debate, or at least my portion of it, any longer, so the final comment I wish to make is that although this bill is well-intended and goes some way in dealing with this issue, it still makes me wonder why the bill couldn't have been written in a more forceful manner and why the rights of the victims could not have been made mandatory or the ways in which we deal with victims not have been made mandatory and why there could not have been any penalty provisions in the act in the event that the act was not adhered to.

I think those are three important issues, and certainly the fact that those issues haven't been addressed makes this bill an awful lot weaker than most people, or the media, might think, or we might think, for that matter.



**Mrs Boyd:** Very briefly, it surprised me that my colleague from Kingston and The Islands, and indeed his colleague from St Catharines, did not in their area represent the concerns of the member for Downsview who had a similar bill.

One issue she had raised that is not in this bill is the issue of employers having to give support to witnesses who had to cooperate with a police investigation or with court action. I am surprised that my friends did not raise that as something they would like to see added to the bill. As anyone who has dealt with victim witnesses in these circumstances knows, that often is a factor inhibiting the cooperation of witnesses with both the police and the crown, and that's a problem in this area.

1840

**Mr Bradley:** Very briefly, the member for Downsview, I believe, has indicated this publicly and would have hoped that it would have been in the bill. She is hopeful, I believe, of being able to return to the House tomorrow to make her comments on the bill and to indicate what she believes to be the weaknesses and the strengths of the bill. I did not want to be presumptuous enough to speak on her behalf, but I'm glad that the member for London Centre has raised that particular issue, which is one of great importance and one which I believe many would have hoped would have been addressed in the bill.

**The Deputy Speaker:** Did the member for Kingston and The Islands wish to respond?

**Mr Gerretsen:** No, Mr Speaker.

**The Deputy Speaker:** Further debate?

**Hon Mr Harnick:** I will be very brief. I appreciate very much the comments of all of the members who took part in this debate. By and large, their comments were constructive, and I appreciate hearing them very much.

I'll respond, first off, to the member from Kingston, who had many good questions. He wants to know how much money will be in the fund, and we estimate there will be somewhere between \$5 million and about \$9 million coming into the fund every year. But as the member for London Centre indicated, there are justices of the peace and judges in this province who are reluctant to impose the victim fine surcharge, and we quite simply have to do a better job in making submissions to justices of the peace and to judges asking that they impose the fine surcharge.

In terms of his other comments, and I will deal with them generally, the member from Kingston indicated some concern about the bill not being mandatory in nature. I don't want to go off at a tangent and begin to talk about what we've had to talk about on so many occasions in this Legislature, but quite simply the cost of making this bill mandatory and changing "should" to "shall" or "must" would make the cost of this bill prohibitive. We could not have it in the province of Ontario.

I don't want to dwell on the fact that we have a huge debt in this province. It would be wonderful if we could access some of that \$9 billion that we're spending in interest to pay the charges on that debt every year so that we could have more money flowing to victims, so that

we wouldn't be sending the money away to pay for the ever-escalating debt.

As the member for Kingston knows full well, even this year, with all of the cost-cutting that we've done, we still will have a significant deficit as we work to balance the budget in this province. The interest on this year's debt alone, on this year's deficit alone, will be more than the cost of running our whole community college system in the province of Ontario. The public should know that, as I know the member from Kingston knows that. The difficulty is that we wish we could make this mandatory, but the cost of doing it is prohibitive.

In terms of the criticism in regard to the Evidence Act, I can only tell the member that what we have done, particularly in the section he referred to dealing with cross-examination of children as witnesses, this is already a provision in the Canada Evidence Act. It has been tried and tested in the Canada Evidence Act, and judges have a great ability to deal with the control of these proceedings so that a witness is protected and one who is an adverse party is not detrimentally affected in terms of the evidence that they wish to lead or elicit from the witness. So those comments are specifically directed to the member from Kingston.

The member for London South made some very good comments, one particularly dealing with the stalking law. As that procedure becomes more used under the Criminal Code, it may well be a very appropriate amendment to this particular bill.

Mr Speaker, in brief, those are my comments as we complete second reading, and again I'm indebted to those who took part in the debate.

**The Deputy Speaker:** Mr Harnick has moved second reading of Bill 23. Is it the pleasure of the House that the motion carry? Carried.

Shall the bill be ordered for third reading?

**Hon Mr Harnick:** Committee of the whole.

**The Deputy Speaker:** So ordered.

*House in committee of the whole.*

SHORTLINE RAILWAYS ACT, 1995

LOI DE 1995

SUR LES CHEMINS DE FER D'INTÉRÊT LOCAL

Consideration of Bill 5, An Act respecting Shortline Railways / Projet de loi 5, Loi concernant les chemins de fer d'intérêt local.

**The Chair (Mr Bert Johnson):** Are there any amendments to the bill and, if so, which sections?

**Hon Al Palladini (Minister of Transportation):** I have amendments to sections 1, 10 and 22.

I move that clause (a) of the definition of "shortline railway" in section 1 of the bill be struck out and the following substituted:

"(a) that has been the subject of an abandonment order, discontinuance or a conveyance in accordance with federal laws or, after that order, discontinuance or conveyance, has been discontinued or conveyed under this act."

This is to make the language of our Legislature consistent with the Canada Transportation Act, that is, the federal legislation under which the national railways will be shedding their unnecessary rail lines.

**The Chair:** Shall the amendment carry? Carried.

Shall section 1, as amended, stand as part of the bill? Carried.

Shall sections 2 through 9 stand as part of the bill? Carried.

**Hon Mr Palladini:** I move that subsections 10(12) and (13) of the bill be struck out and the following substituted:

“No agreement

“(12) If the parties are unable to agree on an independent appraiser to determine net salvage value, net salvage value shall be determined by arbitration.

“Same

“(13) If the parties are unable to agree on the arbitrator or the terms of reference of the arbitration, either party may apply to a judge of the Ontario Court (General Division) for an order appointing an arbitrator and fixing the terms of arbitration.

“Application of Act

“(14) The Arbitration Act, 1991 applies to the arbitration.

“Disposal

“(15) If the railway line or the shortline railway company's operating interest in it is not transferred under this section, the shortline railway company may discontinue operating the railway line and, if applicable, dispose of any or all of the assets connected with the railway line.

1850

**The Chair:** Shall the amendment carry? Carried.

Shall section 10, as amended, stand as part of the bill? Carried.

Shall sections 11 through 21 stand as part of the bill? Carried.

The minister has an amendment to section 22?

**Hon Mr Palladini:** Yes. I move that subsection 22(1) of the bill be amended by striking out “of a shortline railway inspector” in the third line and substituting “made under this act.”

**The Chair:** Shall the amendment carry? Carried.

Shall section 22, as amended, stand as part of the bill? Carried.

Shall sections 23 through 25 stand as part of the bill? Carried.

Shall the title carry? Carried.

Shall I report the bill, as amended, to the House? Agreed.

#### CORPORATIONS INFORMATION AMENDMENT ACT, 1995

#### LOI DE 1995 MODIFIANT LA LOI SUR LES RENSEIGNEMENTS EXIGÉS DES PERSONNES MORALES

Consideration of Bill 6, An Act to amend the Corporations Information Act / Projet de loi 6, Loi modifiant la Loi sur les renseignements exigés des personnes morales.

**Hon Norman W. Sterling (Minister of Consumer and Commercial Relations):** I have amendments to

subsection 1(2) of the bill and will seek unanimous consent to add sections 1.1 and 1.2 to the bill after I've dealt with subsection 1(2).

I move that subsection 3.1(1), (2) and (3) of the act, as set out in subsection 1(2) of the bill, be struck out and the following substituted:

“Annual return

“3.1 (1) Every corporation, other than a corporation without share capital or a corporation of a class exempted by the regulations, shall file a return each year with the minister by delivering it to the Minister of Finance.

“Exception

“(1.1) Instead of delivering a return under subsection (1) to the Minister of Finance, a corporation may deliver the return to the minister if,

“(a) there has been no change in the information required to be included in the return since the time that the corporation last filed a return or a notice under this act; and

“(b) the filing is made in the prescribed manner.

“Corporation without share capital

“(1.2) A corporation without share capital shall file a return each year with the minister in the prescribed manner by delivering it to the minister on the anniversary of the date of its incorporation or amalgamation, whichever is later, or within 60 days after the anniversary.

“Time of delivery

“(2) A corporation that is not required to deliver a tax return under section 75 of the Corporations Tax Act shall deliver the return mentioned in subsection (1) within six months of its financial year-end.

“Same, tax return

“(3) A corporation that is required to deliver a tax return under section 75 of the Corporations Tax Act shall,

“(a) deliver the return mentioned in subsection (1), together with its tax return for its last completed taxation year, within the time period for delivery of the tax return; or

“(b) deliver the return mentioned in subsection (1) within the time period for delivery of the tax return, if it delivers a return to the minister under subsection (1.1).”

As I mentioned on second reading debate, a committee comprising my ministry and the Ministry of Finance has determined that the best way to file these returns is to have the Ministry of Finance gather the returns, save and except for non-profit corporations and for corporations which want to file by electronic means, and they will be able to do that through my ministry. It doesn't change the thrust of the act but makes these changes to make the administration much easier.

**The Chair (Mr Bert Johnson):** Shall the amendment carry? Carried.

Shall section 1, as amended, carry? Carried.

**Hon Mr Sterling:** I move that subsection 3.1(5) of the act, as set out in subsection 1(2) of the bill, be struck out and the following substituted:

“Contents

“(5) A return filed under this section shall set out the prescribed information for the corporation as of the date of delivery under this section.”



This allows the annual returns to be filed by electronic means if there are no changes to the information.

**The Chair:** Shall the amendment carry? Carried.

Shall section 1, as amended, carry? Carried.

Section 1.1 and section 1.2: These amendments are out of order since they seek to amend sections of the act that are not open in the bill.

**Hon Mr Sterling:** Mr Chairman, I would seek unanimous consent in order to put these in the bill. What the amendments do is incorporate into other parts of the Corporations Information Act references to the sections that we are amending by Bill 6.

**The Chair:** Do we have consent?

**Mr John Gerretsen (Kingston and The Islands):** No.

**Hon Mr Sterling:** Well, I'll explain it again, and I beg your indulgence, Mr Chairman.

**Mr Gerretsen:** This is not getting third reading of Bill 26, is it?

**Hon Mr Sterling:** No, it isn't. I move that the bill be amended by adding the following section:

"1.1 (1) Subsection 4(2) of the act, as re-enacted by the Statutes of Ontario, 1994, chapter 17, section 36, is amended by striking out 'subsection 2(1), 3(1) or 3.1(1)' in the fourth line and substituting 'subsection 2(1) or 3(1) or section 3.1.'

"(2) Subsection 4(3) of the act, as re-enacted by the Statutes of Ontario, 1994, chapter 17, section 36, is repealed and the following substituted:

"Content of notice

"(3) A notice filed under this section shall set out the prescribed information."

**The Chair:** Shall the amendment carry? Carried.

Shall section 1.1 stand as part of the bill? Carried.

**Hon Mr Sterling:** Mr Chairman, I have the other amendment that was agreed to be introduced.

I move that the bill be amended by adding the following section:

"1.2 (1) Subsection 5(1) of the act, as re-enacted by the Statutes of Ontario, 1994, chapter 17, section 36, is amended by striking out 'subsection 2(1), 3(1) or 3.1(1)' in the first and second lines and substituting 'subsection 2(1) or 3(1) or section 3.1.'

"(2) Subsection 5(2) of the act, as re-enacted by the Statutes of Ontario, 1994, chapter 17, section 36, is repealed and the following substituted:

"Record and examination

"(2) A corporation shall maintain an up-to-date paper or electronic record of the prescribed information set out in returns and notices that it has filed under this act and make the record available for examination by any shareholder, member, director, officer or creditor of the corporation during its normal business hours at its registered office or principal place of business in Ontario."

**The Chair:** Shall the amendment carry? Carried.

Shall section 1.2 stand as part of the bill? Agreed.

Shall the title of the bill carry? Agreed.

Shall I report the bill, as amended, to the House? Agreed.

1900

#### VICTIMS' BILL OF RIGHTS, 1995

#### CHARTRE DE 1995 DES DROITS DES VICTIMES D'ACTES CRIMINELS

Consideration of Bill 23, An Act respecting Victims of Crime / Projet de loi 23, Loi concernant les victimes d'actes criminels.

**Hon Charles Harnick (Attorney General, minister responsible for native affairs):** Mr Chair, I have amendments to certain sections of Bill 23. Shall I move those amendments?

**The Chair (Mr Bert Johnson):** Would you just list the sections you are amending.

**Hon Mr Harnick:** I will be amending subsection 2(1) of the bill, paragraph 2, subparagraph xi.1.

I will be amending subsection 2(1) of the bill, paragraph 3 and paragraph 3.1.

I will be moving that subsection 2(3) of the bill be struck out and be amended.

That is the extent of the amendments.

**The Chair:** Shall section 1 stand as part of the bill? Agreed.

The minister has amendments to subsection 2(1).

**Hon Mr Harnick:** I move that paragraph 2 of subsection 2(1) of the bill be amended by adding the following subparagraph:

"xi.1 any disposition made under section 672.54 or 672.58 of the Criminal Code (Canada) in respect of an accused who is found unfit to stand trial or who is found not criminally responsible on account of mental disorder."

I have no comments, Mr Chair, but I do have another amendment to subsection 2(1).

**The Chair:** We'll handle this one first. Shall the amendment to section 2 carry? Carried.

**Hon Mr Harnick:** I move that paragraph 3 of subsection 2(1) of the bill be struck out and the following substituted:

"3. A victim of a prescribed crime should, if he or she so requests, be notified of,

"i. any application for release or any impending release of the convicted person, including release in accordance with a program of temporary absence, on parole or on an unescorted temporary absence pass, and

"ii. any escape of the convicted person from custody.

"3.1 If the person accused of a prescribed crime is found unfit to stand trial or is found not criminally responsible on account of mental disorder, the victim should, if he or she so requests, be notified of,

"i. any hearing held with respect to the accused by the review board established or designated for Ontario pursuant to subsection 672.38(1) of the Criminal Code (Canada),

"ii. any order of the review board directing the absolute or conditional discharge of the accused, and

"iii. any escape of the accused from custody."

**Mr John Gerretsen (Kingston and The Islands):** I have a question. I'm sure the Attorney General wouldn't have any objection to the word "should" being replaced by the word "shall" in this case. We're talking about something very serious here.

**Hon Mr Harnick:** I have indicated quite clearly during the course of debate why I'm unable to do that. As I indicated during the course of debate, I very much wish that everything in this bill could be mandatory and that every "should" could be changed to a "shall" and that every "may" could be changed to a "must."

I can't do that, quite simply because of the debt this province has and the unaffordability we would have in financing at this particular time what would become a mandatory aspect of this bill. I remind the member from Kingston of the problems we've gotten into in the last 10 years as a result of governments that spend and tax too much.

**Mr Gerretsen:** I don't think that has anything to do with it. Either the bill means something, what it states in the bill, that those things should happen and victims are to be warned and are to be provided protection, or we're just talking about window dressing.

**Mr Gilles Bisson (Cochrane South):** The question is, is it window dressing?

**The Chair:** Shall the amendment to subsection 2(1) carry? Carried.

**Hon Mr Harnick:** I move that subsection 2(3) of the bill be struck out and the following substituted:

"Regulations

"(3) The Lieutenant Governor in Council may make regulations,

"(a) prescribing standards, other than for police services, to be followed in giving effect to the principles set out in subsection (1);

"(b) prescribing crimes for the purposes of paragraphs 3 and 3.1 of subsection (1)."

**The Chair:** Shall the amendment carry? Carried.

Shall section 2, as amended, stand as part of the bill? Carried.

Shall sections 3 through 9 carry? Carried.

Shall the preamble carry? Carried.

Shall the title carry? Carried.

Shall I report the bill, as amended, to the House? Agreed.

**Hon Norman W. Sterling (Minister of Consumer and Commercial Relations):** I move that the committee rise and report.

**The Chair:** Is it the pleasure of the House that the committee rise and report? Agreed.

The committee of the whole House begs to report three bills with certain amendments and asks for leave to sit again.

**The Deputy Speaker (Mr Bert Johnson):** Shall the report be received and adopted? Agreed.

## 1910

### SHORTLINE RAILWAYS ACT, 1995

LOI DE 1995

#### SUR LES CHEMINS DE FER D'INTÉRÊT LOCAL

Mr Ouellette, on behalf of Mr Palladini, moved third reading of the following bill:

Bill 5, An Act respecting Shortline Railways / Projet de loi 5, Loi concernant les chemins de fer d'intérêt local.

**Mr Jerry J. Ouellette (Oshawa):** We would like to thank both the opposition and third parties for their notable support on this bill.

Rail, in all forms, is vital to our economy, especially in the agricultural, mining, pulp and paper, steel and chemical industries. For example, Ontario exports more than \$500 million worth of grain by rail every year. Almost three quarters of all grain shipped by rail is destined for the United States. In the past few weeks our government has introduced a number of measures that clearly show our support for business and for a stronger, healthier economy. Bill 5, which will make it easier to create shortline rail companies in Ontario, is a key part of those measures. We will give business the tools it needs to maintain an important part of our transportation system to protect those thousands of jobs across the province and the communities that depend on them.

**Mr Gilles Bisson (Cochrane South):** I just want to make one point about what this act is doing. We should be clear that there has long been an argument around what happens with successor rights with regard to collective agreements and how railway workers would be affected under this act. I want to put on the record that what this bill does, with the majority of the Conservative caucus, is to take away the successor rights of employees in those particular short-rail-haul areas. The government continues what they've done under Bill 7 and other bills, taking away the individual rights of people to what they've negotiated under collective bargaining agreements with their members.

I'd like to put on the record that what the government is doing here is making it possible for private sector promoters or developers to come in on this particular area and ignore the rights of workers in this province, the successor rights to the new employer. That's not the right way to go.

**The Deputy Speaker (Mr Bert Johnson):** Mr Ouellette has moved third reading of Bill 5. Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

### CORPORATIONS INFORMATION AMENDMENT ACT, 1995

#### LOI DE 1995 MODIFIANT LA LOI SUR LES RENSEIGNEMENTS EXIGÉS DES PERSONNES MORALES

Mr Flaherty, on behalf of Mr Sterling, moved third reading of the following bill:

Bill 6, An Act to amend the Corporations Information Act / Projet de loi 6, Loi modifiant la Loi sur les renseignements exigés des personnes morales.



**Mr Jim Flaherty (Durham Centre):** I would like to take this opportunity to thank all members who have supported this bill and who recognize the value of this initiative. This legislation will simplify the way we collect corporate information in Ontario while maintaining the accuracy and integrity of the public record. This measure will reduce government inefficiencies and red tape and will result in lower administrative costs and less paperwork for business. The integrated data collection system will mean Ontario is the only province in Canada with an integrated reporting system.

The business community has told us they don't need handouts, incentives or grants to keep their doors open. All that businesses in Ontario need is for government to stop adding to the red tape and the regulatory burden that results in even more compliance costs. Streamlining the reporting process and eliminating the corporate annual filing fee, which this bill does, will allow businesses to create jobs and contribute to the growth of the economy.

In closing, I would like to encourage all members to support this bill, which will effectively remove a cumbersome and unnecessary burden which has hampered Ontario's business community. This government has committed to becoming more efficient and businesslike in its operations. This measure, which streamlines the reporting process and eliminates the nuisance \$50 fee that accompanied it, gives businesses in Ontario a level of service that all Ontarians deserve and have come to expect.

**Mr Bruce Crozier (Essex South):** With all due respect, we have supported this bill, but to say that it helps the economy and creates jobs is really stretching the point a bit. What it does is eliminate a \$50 filing fee, which we agree with. I don't think that will create one job anywhere in this province, and we should be straightforward about that.

As far as reducing red tape is concerned, you still have to file every year, so small companies and large will still have to put forward the same amount of paperwork, notwithstanding the fact that they won't have to pay \$50 along with it, which we agree with. Anything the government can do to reduce red tape, create jobs and help the economy, we support, but please don't take credit for having done any great thing except taking away the \$50 filing fee, which was considered by many as a tax grab.

**Mr Gilles Bisson (Cochrane South):** I want to put on the record that what we have here is a good case in point of what this Conservative government is all about. On the one hand this Conservative government under Mike Harris is socking it to the working people and socking it to the unemployed in this province by cutting back their benefits, if they happen to be on welfare assistance because they're unable to find a job, by 22%. We're moving out of the non-profit housing sector. We're going to be doing away with rent control. We've already done away with many of the laws in regard to protection of workers that existed in Bill 40 under the NDP government.

In exchange, this government is telling us it doesn't want to give any handouts to the corporations of the

province of Ontario. But it's interesting that what this bill does—I think we need to be clear—is that it eliminates the need for employers and corporations in this province to pay their filing fee when it comes to their licences.

If on the one hand you're telling welfare recipients and a number of other people in this province that you have to cut their benefits and their assistance to balance the budget, I find it highly hypocritical of this government to give a cut in what the most wealthy corporations in this province pay, which can well afford the minimal charges that were charged under this act as passed under the New Democratic government.

I would say this is an indication of what this government is all about. It's about giving a hand up to those people who can most afford it and stepping on the heads of those people who can least afford it and driving them into the ground. Hopefully, after four years, they'll be able to come back up again.

**Mr James J. Bradley (St Catharines):** The provision of this bill is something which was called for by the official opposition in the last Legislative Assembly session, previous to the election. It's not so much the \$50 itself as the inconvenience of going through the process, particularly for many small businesses and, interestingly enough, some volunteer organizations out there which are complaining of this. What was happening was that some that had either ignored the provision or didn't understand the provision or perhaps were not receiving the instruction because it was going to a wrong address or a different person were caught in a situation where there would be a significant penalty for not filing and for not providing this fee.

One always has to look at whether it is worth it for government to go through this process of collecting this fee. I understand in some cases it was for recordkeeping purposes so that the government would have this information on hand, but on balance it seems to me that it is reasonable that this legislation pass so we can get rid of what is essentially a nuisance for people.

Again, \$50 often is not going to break anybody, but you have to look at the fact that it's yet another intrusion, in this case perhaps unnecessary, on the operation of business. There are some intrusions that are justified. I think one has to be very careful to determine which are justified, which serve a useful purpose and which do not. On balance, I think the removal of the \$50 filing fee is probably worthwhile and something business will greet with some degree of enthusiasm.

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**Mr John Gerretsen (Kingston and The Islands):** I'd just like to add one comment to those I made earlier about this bill. I think it's the right thing to do, as well.

I have a bit of a different view from my colleague here. To refer to it as a nuisance, which is basically what the member for Durham Centre did—if we call this \$50 fee a nuisance, what about the \$2 prescription fee people have to pay on their drugs now if they're involved in the Ontario drug benefit plan? If you regard \$50 as a nuisance, certainly the \$2 involved for those people is a nuisance as well.

**Mr Crozier:** You're agreeing with him. If this is a nuisance, then \$2 is a nuisance.

**Mr Gerretsen:** I always agree with my colleague from St Catharines. He's a very wise and able and brilliant individual, and one of these days he's going to get the MRI for St Catharines. I just know it. The government will see the wisdom of that and give him the MRI for St Catharines.

There's just one other comment I should make. I'm probably guilty of this myself at least on one occasion; that is, the rhetoric in this House. We've heard the government charge the opposition with using nothing but rhetoric about this, that or the other thing. I think the member who made the speech on Bill 6 on behalf of the government is guilty of exactly the same thing. To suggest that the fact that this \$50 filing fee will no longer be charged is somehow going to improve the economy of this province is outrageous and certainly stretching it. If they could tone down their rhetoric, I will gladly reduce my rhetoric as well.

There's just one final point I want to make, that there is a cost involved in filing all these returns. The ministry people do get paid, so to suggest that there's no cost involved is not correct.

**Mr Flaherty:** I listened with care to the debate on second reading of Bill 6. In that debate, the member for Kingston and The Islands indicated that the government didn't go far enough and shouldn't make corporations file at all unless the directors change. That's the Liberal member for Kingston and The Islands, the member opposite. The NDP member for London Centre said we should keep the law as it is and make businesses pay more.

These are the two extreme views, of course. Our government, as the government, has to find the workable balance, which I believe we have done with Bill 6. We've accomplished the goal of moderation. This is further evidence, of course, that we are a government of the moderate centre, with a majority of support.

**Mr Bisson:** I'm going to try to do this without any response at the end. I want to clarify what the position of the New Democratic Party is.

While in government, we brought this initiative forward to make corporations pay their filing fee because we thought it was important that corporations in this province pay their fair share and pay their way when it comes to the cost of administering the registry system and all other fees in the province.

What I tried to say to the member just shortly before was this: You need to be consistent. If you're saying the government has to cut in order to balance your budget and you go off and cut social assistance recipients, charge people user fees for their drugs etc, etc, you have to be consistent. To go to the corporations in this province, which are most able to afford to pay this \$50 filing fee, is somewhat hypocritical in terms of the approach your government is taking.

The last point I'll make is that we're not saying corporations should pay more; we're just saying they should pay their fair share, as everybody else in this

province has to in terms of how we balance the deficit over the longer term. For the government to give a break to the corporate side and to say to workers and others that they have to pay the whole shot is unfair and not the way to go. I would like to see some consistency on the part of the Conservative government on this issue.

**The Deputy Speaker (Mr Bert Johnson):** Mr Flaherty has moved third reading of Bill 6. Is it the pleasure of the House that the motion carry? Carried.

Resolved that the bill do now pass and be entitled as in the motion.

#### LAND USE PLANNING AND PROTECTION ACT, 1995

#### LOI DE 1995 SUR LA PROTECTION ET L'AMÉNAGEMENT DU TERRITOIRE

Mr Leach moved second reading of the following bill:

Bill 20, An Act to promote economic growth and protect the environment by streamlining the land use planning and development system through amendments related to planning, development, municipal and heritage matters / Projet de loi 20, Loi visant à promouvoir la croissance économique et à protéger l'environnement en rationalisant le système d'aménagement et de mise en valeur du territoire au moyen de modifications touchant des questions relatives à l'aménagement, la mise en valeur, les municipalités et le patrimoine.

**Hon Al Leach (Minister of Municipal Affairs and Housing):** I am pleased today to move second reading of Bill 20. This bill will help the economy by cutting red tape in Ontario's land use planning system.

As the members know, the Planning Act was changed last year. Municipalities, developers and other interested parties said at the committee hearings on Bill 163 that they were concerned. They were still concerned when the bill became law last spring.

The planning system that resulted was tied up in red tape. Getting through the approval process still took too long and still cost too much. The system was supposed to let municipalities make decisions, but the municipalities tell us it doesn't. They say changes need to be made.

Bill 20 fixes the problems with Ontario's planning system. Before we drafted it, we talked to a wide range of groups. We talked to the groups that represent municipalities, we talked to groups that represent environmentalists, and we also talked to groups that represent developers.

We drafted the legislation that does three important things. First, it creates a faster, cheaper, more understandable system, a system guided by clear, concise policies dealing only with issues that are really important to the province. Second, it lets municipalities make local planning decisions, since they are the people who best understand local circumstances. Third, it protects the environment while clearing away obstacles to growth.

These goals are reflected in Bill 20, and let me give you some examples. Planning decisions will no longer have to be "consistent with" provincial policy statements. We're going back to the requirement that decision-makers shall "have regard to" provincial policies. This will let local decision-makers meet local needs while following provincial policies.



We will cut the time frames. A simple official planning amendment won't take the current 405 days. We will also ease notice requirements.

Equally as important, we will make the Ministry of Municipal Affairs and Housing the one provincial ministry that can appeal planning decisions to the Ontario Municipal Board. For the first time, the province will speak with one voice at the OMB. This should mean fewer appeals as provincial concerns are identified and dealt with earlier in the process.

Over time, most provincial planning approvals will be eliminated. For example, approval authorities may exempt a municipality from an official plan approval. In that case, council's decision to adopt an official plan or amendment would be final, subject only to OMB appeal.

This will reduce overlap of responsibilities. This will allow the province to focus its limited resources. We'll develop a policy to lead planning. We will review and provide input on documents up front, and we'll help educate and train those involved in planning.

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In addition, more municipalities will be given approval authority. For example, counties with new official plans, adopted under the new system, will be able to approve lower-tier official plans. We're also giving a number of counties new powers to approve subdivisions. Regional governments already have these powers. Provincial review of these documents is an unnecessary duplication.

Some people have suggested that this is downloading. On the contrary, municipalities have been asking for more authority to make development decisions. In fact, many are already making such decisions, and these new measures will cut out the overlap.

Bill Mickle, who was president of AMO last year, wrote me a letter in the summer. He said Bill 63 was "an unwarranted intrusion into the traditional authority of local government with regard to planning." He went on to propose a number of changes. These changes are reflected in the bill we're considering today.

As the members know, the provincial policies that guide planning under the existing system and the new system are not actually part of the legislation, yet they are an important part of the planning system. While this bill deals with process, the policies provide the direction. The policies in place are cumbersome. They deal with many issues that really should be decided locally.

We have reviewed the policies. Soon we will release a new draft policy statement for consultation. It will provide clear, concise direction and it will deal only with issues that really are important to the province. It will focus on results rather than on process. The new policy statements will protect the environment, but municipalities will be able to make local decisions that reflect local needs.

The government will consult on the new policies with all of the major groups interested in planning. Others may obtain copies of the policy statement directly from the Ministry of Municipal Affairs and Housing, or they can get one through the Environmental Bill of Rights registry. They are all invited to send their comments within 60

days to the Ministry of Municipal Affairs and Housing. We expect to have the policy statement finalized next spring so the whole system can come into effect in the late spring. The 600-plus pages of guidelines produced by the former government will also be reviewed, and they'll be made a lot shorter.

Bill 20 includes a couple of other sections not strictly related to the planning process, but they do have an impact on development.

One deals with apartments in houses. This legislation gives back to the municipalities the authority to decide where apartments can be added to houses. The last government, as part of its Residents' Rights Act, took this power away. They took from municipalities the authority to plan local neighbourhoods by forcing them to allow second units in houses.

Most municipalities did not like Bill 120. They said the law took the decision-making out of their hands and it didn't give them the tools to make sure second units were safe.

Bill 20 will give power back to the municipalities. They'll be able to use official plans, zoning bylaws, site plan agreements and plans of subdivision to control where houses with two units will be allowed.

Municipalities will also be able to set up a registration system for apartments in houses. This will make it easier to enforce safety standards for houses with two units. For example, a municipality will be able to require an inspection as part of its registration program. However, even if a municipality chooses not to set up a registration system, current safety standards will still apply. Existing two-unit houses will have to meet fire code standards by July 1996.

This new legislation repeals the apartments-in-houses provision of the Residents' Rights Act, but it also grandfather's units that were put in under that legislation. This means second units that existed legally on November 16, 1995, will still be allowed. This will also apply where a building permit or a change-of-use permit for the second unit was issued prior to November 16, 1995, as long as that permit has not been revoked.

This legislation today does not affect two other parts of the old Bill 120 which concern garden suites and care homes.

Another part of this bill deals with the Development Charges Act. Development charges add to the high cost of housing. In fact, the Urban Development Institute says a development charge now adds between \$15,000 to \$20,000 to the cost of an average single-family home in the greater Toronto area.

This government will review the Development Charges Act, and we will talk to key stakeholders about focusing development charges more on hard services. We intend to introduce a new Development Charges Act next year.

I know some municipalities have bylaws that will be expiring soon, and we will let municipalities extend these bylaws until the new act comes into effect.

Municipalities can lower their charges, but they cannot bring in new ones or increase their existing charges. Any increases after November 16, when the bill was given

first reading, will need my approval as minister. It would have to be a pretty special case for me to give that approval. One example might be where a major development is ready to go but can't go ahead without a new or increased development charge in place.

This legislation will also make municipalities more accountable. The way it is now, treasurers must present a summary report of development charges accounts to council each year. This bill proposes that treasurers keep records of separate reserve funds for each service contained in the development charge bylaw. Also, treasurers must send to me, as Minister of Municipal Affairs and Housing, a copy of the report within 60 days of it being presented to council.

This is a very important bill for this province. A streamlined process will mean faster decisions. Construction will be able to proceed, creating jobs and economic activity. That will cut the cost of development. Developers won't have to sit on valuable land, paying high carrying costs while waiting years for a decision.

Planning and development decisions will be made by those closest to the community. Provincial interests will be protected by the policy statement and through early involvement by provincial staff in the development of municipal planning documents.

Bill 20 represents a new era in provincial-municipal relations. The province knows municipalities will make the right decisions for their communities. We don't need to be continually looking over their shoulders.

The former government's Bill 163 was passed just about a year ago. At the time, the member for Renfrew North was quoted in a Canadian Press story that appeared in papers across the province. He said: "Bill 163 is a Trojan Horse pregnant with much difficulty and great deception. It's full of policy statements that are going to be enormously restrictive and controversial." I couldn't agree more.

Well, this is a horse of a different colour, and I'm pleased to say that we're fixing these things. The revised policy statement will recognize the diversity and the needs of municipalities, and it will ensure that good development projects can move quickly while the environment is still protected.

Some people have suggested that this government is proposing an anything goes system where the only goal is to get things built. Nothing could be further from the truth. We're not opposed to good planning, we're opposed to slow planning, inefficient planning, and we're against a planning approval system that discourages any kind of development because it can't say yes or no in a reasonable period of time.

And we're not backing off on environmental protection. As the Premier has said, we can have the toughest environmental regulations in North America, but why does it have to take three years to say no? That has to change.

The planning process will still include tough environmental protection measures. The Planning Act will still require a full review of the environmental impact of a development. The policy statement will protect provincial interests.

The goal here is simply to put in place a system that delivers good planning—good decisions—in an efficient, cost-effective way. That's what the people of Ontario elected us to do: to bring common sense back to planning and to open Ontario for opportunity.

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**Mr Bernard Grandmaître (Ottawa East):** I think the minister is absolutely right. I think we have to streamline the Planning Act. I never agreed with Bill 163, for the simple reason that I didn't think it was streamlining the process, it wasn't improving the process. But I do have a few questions of the minister.

The minister is making an amendment to 163 where it said in the Planning Act "shall have regard to," now "be consistent with" the Planning Act. Now, will the minister have the power—and this is addressed to you, Mr Minister—when you say "shall have regard to" instead of "be consistent with," I would like you, whenever you have a chance, to explain it to me, the responsibility of your ministry or of yourself.

The second question is the basement apartment, the second unit. I'm very much interested, Mr Minister, in finding out about the power of entry of the fire marshal, building inspectors, all of these great municipal people who don't have access to basement apartments. What will you do about illegal basement apartments, the tens of thousands of illegal basement apartments in Metro and in the Ottawa-Carleton area? What will you be doing about the power of entry for the municipal people to legalize them and bring them up to date?

**Mr Gilles Bisson (Cochrane South):** I am going to do this a little more in detail a little bit later in my opening comments on this debate, but I just want to say to the minister that, in fairness to my good friend the former Minister of Municipal Affairs, Ed Philip, Bill 163 was brought forward after an extensive consultation through the process of the Sewell commission, which did an extreme amount of work to consult across this province with people who are involved in the actual process of planning in order to make sure that in the end we have a system of planning that reflects both sides of the planning issues: not just the side of developers in regard to the wantingness on the part of developers to get the shovel in the ground and get the project going so that we can bring revenue back to our company that's building whatever project we're in charge of, but also taking a look at it from the longer-term prospect of saying to the community that we will make sure that we guard your interests when it comes to what future ramifications may be in regard to the project itself, and at the same time making sure that we don't allow urban sprawl to continue the way it has continued across this city and the rest of this country, in some cases, to the detriment of our communities.

When I hear the minister talk about what you're not opposed to is good planning, that you're in favour of—the comment I think you said is that you're not opposed to good planning but you're in favour of a shorter time period in planning.

I don't think anybody argues that we need to be able to find a way to streamline, but when I look at this particular bill, what it really does, first of all, it does



download the responsibility of making actual decisions about planning back to the local municipalities.

The danger with that is that there are a lot of municipalities out there that are very much under the influence of developers, and what you're really doing is tipping the favour in the hands of developers, to the chagrin of many people who live in those communities who will have to pay for the costs of particular development projects.

I don't see this as something that's good for the economy in the short run; I see it as something that'll cost us a whack of money in the long run.

**The Deputy Speaker (Mr Bert Johnson):** The minister has two minutes to respond.

**Hon Mr Leach:** In response to my friend in the NDP, Ed Philip did do a good job. I will certainly agree that the consultation process that was carried out by the previous government was excellent. You travelled the province, you got the input from everybody. We have the advantage of having all of that input and all of those reports, all of the planning studies. We've talked to John Sewell. John did an excellent job.

It's the problem that we saw when the bill was put together that it became too cumbersome. I think that was evident by the number of development proposals that have been put through since the bill came in. Since March of last year there has been a handful. That was also, I think, recognized with the flood of applications that were made on March 27; the day prior, when developers and municipalities were trying to beat the process.

There are many, many good things in the present Bill 163, which is the reason that we didn't repeal the bill and start over. We want to take advantage of all the good work that was done, and we'll give credit where credit is due.

To my friend in the Liberal Party, "have regard to" gives more leeway to the municipalities. I think everybody in the industry—municipalities, environmentalists and developers—knows what that means. They know how to work with it. We think it's a more appropriate clause.

With respect to apartments, second units as a right, I think, was wrong. I think that it took away the ability from municipalities to plan and control their communities, as they should have a right to do.

**The Deputy Speaker:** Further debate?

**Mr Bruce Smith (Middlesex):** It's certainly a pleasure to have an opportunity to share some thoughts with the House this evening on Bill 20, and I think it's equally appropriate to speak on land use planning reforms when you're the elected person from London and Middlesex. Certainly over the past six or seven years we've had a period of time that's been characterized by development freezes, boundary arbitrations, annexation and the passage of new planning legislation. I'm sure my colleague from London Centre would probably concur that there's a great deal of sensitivity that still exists around the process that was followed.

That aside, the minister of the day made decisions to move on and certainly that is why we're here this evening: to talk about new reforms with respect to Bill 20.

When I reviewed the document that the Minister of Agriculture, Food and Rural Affairs tabled with members two weeks ago entitled Table Talks '95, I found most interesting that there was terminology reflected in that from the public—some 1,300 individuals who were participants in the process representing agricultural and rural communities across the province—terminology, such as "rural economic development," "regulatory burdens," "enhancing capacity of local leaders" and the endorsement of a "one-window approach" for the delivery of government services.

I really don't think there's any irony between what was identified in the minister's document and the types of things the Minister of Municipal Affairs is speaking of in Bill 20. Certainly the objective with this legislation is to create a planning system that promotes economic recovery by cutting red tape and getting rid of obstacles to growth. I think we need to pause on that for a moment, because too often we reflect on growth in a very negative context. For many small communities some growth is necessary. Under the current provisions it's very difficult for growth to be realized in our smaller and medium-sized communities.

For that reason I am very pleased to see that the minister has brought forward a complete package, a package that really addresses three components, in my mind, those being legislative changes, a review of the comprehensive policy statements and service delivery improvements.

With respect to the legislative changes, I think it's important to address the issue of local autonomy. It's particularly important to do so given the debate we've heard this week with respect to Bill 26 and the repeated concerns expressed about centralization of power and authority. I think it's important to realize that Bill 20 is all about the opposite. It's about transferring planning responsibilities to the local level of government, which I believe is a recognition of the increasing awareness that has been demonstrated by both elected officials at the local level and administration.

I myself, as a practitioner in this field, have witnessed a number of significant changes in the approach to planning by client municipalities, specifically the municipalities that I have been involved with over the last eight years. My personal observations are such that it's very evident that there's an increasing awareness of and a commitment to sound planning principles.

Secondly, I also think there is a growing sophistication in the local application of planning policies and a better understanding of the legislative framework. In reality, many municipalities already incorporate municipal planning practices which far exceed the obligations required of them statutorily. Therefore, I am confident that the knowledge base and expertise to which the minister has referred consistently in this House about our local governments is there and exists already and that they will easily be able to accommodate the responsibilities handed to them.

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The second part that I feel is important, and the minister alluded to this, is certainly the review of the

policy statements and guidelines, which is a process that I strongly support. I believe strongly that refinement is very necessary, and particularly so for the associated guideline documents.

I would also like to add, and this is as much directed at the minister as anyone else, that following the review process, I think it's very important that the government take every step to ensure that provincial interpretation of policy statements is consistent from region to region and that the discrepancies which do occur presently are mitigated.

The third part that I just briefly want to address as well—and certainly this is, in my mind, a critical component of the bill—is the improvement to the administrative changes that the minister has spoken of in his deliberations. I think this brings the package full circle and makes it somewhat complete, because, as government, we can do all that we want with respect to legislative changes and policy changes, but we also have to assess the procedural or administrative requirements that will deliver on those policy changes.

With that, I'm referring to the one-window approach to plan review and the one-window approach to appeals. This is something certainly I know many municipal partners and those who are advisers to municipal partners strongly endorse, and in my mind it ties directly back to the feedback that the government received as a result of the Table Talks document that the Minister of Agriculture, Food and Rural Affairs has tabled with many members and which I've already referred to.

Some 1,300 people we talked to consistently identified a one-window approach to government services as a preferred approach: one lead agency for the coordinating of planning services and one lead agency for Ontario Municipal Board appeals. I strongly believe that's a step in the right direction.

To briefly summarize I guess, in conclusion, because I know the members of the opposition wish to carry their debate on this particular bill as well, I think there's one other critical component to the bill, and that addresses as well the issue of development charges. Certainly the government's position has been clearly identified with respect to the support of development charges that address hard services only. I think as we move through that area we will see the types of variations that have occurred under the current provisions and the obvious need to tighten the current arrangements that are provided for within the legislative framework.

In my mind, this bill is not about returning to the bad old days of land use planning, as some opponents to the bill have described, but I believe, in conclusion, it's about defining, or perhaps redefining, the provincial role in land use planning, a process that I hope will not stop following the adoption of this bill. Secondly, I believe it's a process that needs to find balance between environmental concerns and the concerns of the development industry through a renewed planning system. But above all, I think the most important aspect is that the bill is about giving municipalities the local planning authority and the ability to be accountable for their decisions, a task and a responsibility that they've been asking for for some time.

**The Deputy Speaker:** Questions or comments? Further debate.

**Mr James J. Bradley (St Catharines):** I seek the permission of the House to have the Liberal Party divide its 90-minute leadoff time.

**The Deputy Speaker:** Is it the pleasure of the House that the Liberal Party divides its time? Agreed.

*Interjection.*

**Mr John Gerretsen (Kingston and The Islands):** No, it won't be five minutes, because I've got quite a bit to say about this act, and the process that has been used as well.

I always find it interesting when a new bill like this comes forward and the old bill is attacked as to how we get to that. Of course, in the propaganda that the Conservative Party put out during the election campaign, you may well recall, it stated unequivocally that Bill 163 was going to be dismantled and was going to be annihilated and was going to be totally wiped off the books. So I'm very pleased to see the minister tonight acknowledge the fact that what he has basically done is made amendments to Bill 163, which is the position we took at that time and that we're taking at this time as well, and that is that there are many good things about Bill 163 and there are also many things that are wrong.

Let me just start off by telling you a little bit about my own involvement with planning issues over the years. I suppose it's the one issue that brought me into local government some 20 years ago. The planning process, the way in which municipalities and our cities and towns and rural areas are planned in this province, is something that is of great concern to me, especially coming from such a historic city and area where certainly planning is of extreme importance to ensure that we maintain and enhance the quality of life that we enjoy in Kingston and also the general ambience of our community. I think it's fair to say that if it had not been for good planning over the years, then a lot of the limestone buildings that we enjoy in our community probably would have been destroyed, taken down or certainly dismantled to a large extent—and some of them were before good planning came along.

As I went along in my municipal career, however, I became more and more aware that the one thing the system—and I'm talking about both the municipal system and the provincial system—probably needed more than anything else was a speed-up process in which approvals of any kind, whether we're talking about Planning Act approvals or whether we're talking about any other kind of approval mechanism, can be speeded up, because time is money and the individuals who eventually end up paying for it are the consumers.

Whether we're talking about a new subdivision, whether we're talking about any kind of development whatsoever, the consumers end up paying. The people who are buying the units, who are renting the units, end up paying for the sometimes extremely long time delays that occur in the approval process. Therefore, I made it my sort of personal goal to speed the approval process up as quickly as we could at the local level, and to that



extent I applaud the minister in improving the approval processes that are involved in the planning process.

It's unfortunate, though, that the one group of people that has been left out of all of the consultations, that I have not heard anything about at all during any discussion that has taken place with respect to Bill 20, and indeed with respect to the municipal sections in Bill 26 as well—we've always sort of talked about what the municipalities want and what their rights are, and I'm a great believer in the municipal process. I believe that government as close to the people as we can possibly bring it is the best kind of government. And we talk of course about our own rights as the province, what our rights and obligations are.

But the one group that has been totally left out of this is the public, the people who we all serve and who elect us to no matter what level of government we're elected to. It's very interesting that the public has certainly been left out of a lot of the matters as they relate to these new provisions of the Planning Act.

Let me just give you one little example right at the beginning, and that deals with the whole question of minor variances. We all know that minor variances are those applications that come before usually a committee of adjustment whereby a particular property doesn't meet all of the necessary zoning requirements and there are some minor changes required.

Usually, what used to be the process is that you went to a committee, notices were sent out to people within a certain radius and they would come to the meeting and they would either agree with what the applicant was proposing or they wouldn't. Once the committee had decided, then if somebody really felt strongly about the particular minor decision—we're talking about minor variances here—a person could appeal it to the OMB. Now, that has been completely taken out of this.

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That may be good for municipalities, and I agree with the minister: The municipalities will now have the final say, unless they decide to appeal a minor variance decision a committee of adjustment has made to the OMB.

But let's just put ourselves in the position of the general public, or even the applicant, where a very minor matter, for whatever reason, is not approved either by the committee of adjustment or by the local council. That person will now have no further right of appeal. That person has been taken out of the system, on sometimes very minor matters, such as whether or not you have the right side yard requirement or front yard requirement or other various setbacks etc. What we're doing to that individual, whether it's the applicant—in most cases it's the applicant—is we're saying to that person, "If the committee of adjustment doesn't agree with you, or if council ultimately doesn't agree with you, you've got no further right of appeal, and the only way you can change that is through a zone change." I don't think that's very fair to the general public.

The problem with the OMB, the way I've seen it over the years, has had nothing to do so much with its deci-

sions. There have been good members of the OMB and there have been bad members of the OMB. And when the minister first introduced his bill some four or five weeks ago, he made the point, as a matter of fact, that the speed with which applications are heard by the OMB has greatly improved, and I agree with that. I can remember situations where I, in acting on behalf of somebody or when I was involved with the municipality in Kingston, would wait sometimes for a year, a year and a half, two years, for a hearing date on some things that were quite often very minor matters.

What's going to happen in a case like this, as I've indicated before, with a minor variance, is that that appeal process is no longer there for that person.

I think if the minister really wanted to be fair, not only to municipalities but also to the general public and the applicants, what he would do is basically set up a mechanism, through the OMB, so that a person who doesn't get satisfaction from the committee of adjustment or the council itself could go to the OMB, but not be put in the main stream of hearing—the OMB, as we all know, is involved with some major official plan amendments, it's involved in some major joint hearings, it's involved in some major development hearings etc—but put it in a separate stream. In other words, dedicate five or six members, perhaps on a rotating basis, within the Ontario Municipal Board itself who will do for a certain period of time nothing but minor variance appeals, so that those matters can be heard in a matter of, let's say, a month after the matter is referred to them. That has been—and I'm utterly convinced of this—the main problem in our planning process, or at least the main problem once a decision has been made and somebody hasn't liked that particular decision, just the time delays it would take to have a matter heard.

I think there ought to be another level of appeal, because although I have the greatest faith in municipalities, I'm sure that there are situations where a particular individual with a particular minor variance application that is truly of a minor nature may not get the kind of decision that I think a reasonable, independent person standing aside from that, which is what an OMB chair would be in a case like that, would decide.

So leave the appeal there for the OMB, but make sure from an administrative viewpoint that those appeals can be heard very quickly. I am convinced in my own mind that that wouldn't take an awful lot of resources or an awful lot of manpower to implement, because I understand that only about 15% of all the matters that come before the OMB—and this is from the minister's own staff that we had an opportunity to meet with some time ago—15% of all the matters that are referred to the OMB deal with minor variances. So that's the first thing that I'd like to say.

The second thing that I'd like to say deals with this other issue, and that deals with these new policy statements dealing with the environment. It's my view that it would have been fairer, in dealing with this legislation, if those policy statements had in effect been part of the package. They may have been in a different form or a different way. They obviously couldn't be within legisla-

tion because I realize it would be too difficult perhaps to change them later on, but at least the general public and the municipalities would know exactly what we're dealing with.

We don't. All we've got right now is a process document, and we've got the minister's assurances that some time in May or June, or maybe earlier in the spring, the policy statements will be forthcoming. But without the policy statements, and without knowing the extent to which they go, we really don't have any idea as to how they will affect the planning of our municipalities, because they surely form an integral part of the planning process.

Of course, the other very interesting thing is that there is a significant change in the legislation that whereas under the old act, planning had to "be consistent with" the policy statements, now they will only have to "have regard to" the policy statements. Although the difference may not be all that apparent to the layperson, let me just say that for those of us who have been involved in this and who know anything about this process, there's this very significant change.

If they're "consistent with," well, then basically the policy statements have to be followed by the municipality, whether they like it or not. If it's a matter of just "having regard to," then it's just a matter of the planning director or the planning board or the council saying, "Yes, we've looked at the policy statements and we've taken them into account, but basically we don't agree with them, and that's why we don't take them into consideration" in any planning matter.

Now, again, we're talking about only two bodies here basically. We're talking about the province here and we're talking about municipalities that apply the act. But the general public has been left out of that. The general public has been left out of that, and there's been no comment about how the general public fits into these policy statements and what their input may be. I know the minister will say, "Well, a municipality can hold public hearings, can hold a public meeting," etc, etc. But that isn't necessarily so, or that's the way it appears to me, in any event.

The other significant change, of course, deals with the whole area of the Development Charges Act. I can remember, in my days with AMO back in the mid-1980s, that this was always a matter of great concerns.

What this basically means to the general public that may be viewing this is that a developer, in developing a piece of property or in developing a subdivision, can be charged for certain costs that are associated not only with developing that specific subdivision but also with respect to the so-called soft services, such as the potential of a future library or some of the other services that may not be a hard service for that particular municipality, and there were always debates as to what it should or should not include.

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What of course it always basically boils down to is that if you don't provide for any of the soft services in the Development Charges Act, then the only way those soft services can be paid for is by the general taxpayer in that municipality. That being said, the developer doesn't

pay for it; he develops his 200- or 300-lot subdivision, but the general taxpayer picks up the entire amount. What it means, I suppose, is that the developer initially puts out less money, obviously, and the general taxpayer picks up the amount of money that may be required for that.

Now, what the minister has done, and it really runs totally contrary to what he's been talking about in this House over the last—

**Mr Bill Murdoch (Grey-Owen Sound):** Do you agree with this bill or don't you?

**Mr Gerretsen:** Do I agree with the bill? I agree with certain sections of the bill, but I certainly don't agree with the entire bill.

**Mr Murdoch:** You must have, as a municipal politician. You must.

**Mr Gerretsen:** Absolutely not. And I'm glad to see that the member has awoken and is taking a keen interest in this, because it's too bad that in a debate on a subject-matter that's as important as this—and I know it's not parliamentary to refer to the absence of the members in the House for whatever reason, and I certainly don't intend to do that—but it is unfortunate that a bill of this high a significance in the province would come at this late stage in a session like this. It would have been, I think, much better if it had come either earlier or if it had waited until the spring.

Because, Mr Minister, I do not agree with you at all that the reason why there have only been a handful of applications is because of the adverse effects of Bill 163. The reason why there's only been a handful of applications across the province, quite frankly, is because of the kind of economy that we've lived in, and perhaps in the fact that the approval processes that are involved both at the municipal and at the provincial level have taken so long. That's the real reason, probably. I really have no idea how many subdivisions or developments have actually been approved under Bill 163, but I don't think Bill 163 has been there long enough for us to really get a good handle on.

**Mr Murdoch:** I don't think there were any.

**Mr Gerretsen:** There haven't been any. No, because it's only been seven or eight months, and we all know the approval time probably takes two or three or five years.

But getting back to the Development Charges Act, I honestly don't understand why the minister, who has spoken of autonomy—you know, this was sort of the tradeoff at the municipalities. I can see it now, and it made for good politics, and I've got to congratulate the government on that respect. They basically took their grants away from municipalities, halved them in a matter of two years, and said, "But we're finally giving you a lot of the autonomy that you're seeking."

**Mr Murdoch:** And you wouldn't have done that? You're telling me you wouldn't have done that in the red book?

**Mr Gerretsen:** Oh sure, sure.

**The Acting Speaker (Mr Gilles E. Morin):** Order, please. Take your seat. The member for Grey, you will have ample opportunity in an hour and 11 minutes for questions and comments. In the meantime, I would ask you just to refrain from heckling.



**Mr Gerretsen:** Thank you very much, Mr Speaker.

He's talked about autonomy, he's taken money away from municipalities, and he's also said, "We know you're not going to increase taxes," yet he's giving them an awful lot more opportunities to tax more and have all sorts of direct taxes in Bill 26 that we've hear a lot about over the last couple of days.

But the problem, Mr Minister, is this: If you want to give municipalities autonomy, the way you've stated at AMO etc—why have you felt it necessary, under the Development Charges Act, under these new amendments you've brought in, that municipalities cannot pass a new, more stringent Development Charges Act than what they currently have in place? I just cannot understand that.

**Hon Mr Leach:** They can.

**Mr Gerretsen:** No, what they can do is pass a law which extends whatever law is in effect right now; they cannot make it more stringent unless they get your approval. If you trust municipalities so much, give them the power to do whatever they want with respect to the Development Charges Act. They are, after all, your full partners in government, as you've said. "Give them all the powers they need, and they'll do the right thing." You've said that three or four times in the House to questions that have been raised the last few days, that they will do the right thing. So why do you limit them to in effect only extending the existing Development Charges Act?

**Hon Mr Leach:** Only while the act's being repealed.

**Mr Gerretsen:** Only while the act's being repealed. Then why didn't you bring that act forward at exactly the same time as you brought the new provisions to the Planning Act. It is just too inconsistent. It's too inconsistent, and that's all I'll have to say about that.

**Mr Murdoch:** You were just complaining that we were too quick. You can't have it both ways.

**Mr Gerretsen:** I'm certainly pleased that the member seems to be in a lively mood this evening and just keeps going. That's very nice to see.

**Mr Murdoch:** I've got to keep you on track.

**Mr Gerretsen:** I try to keep on track as much as I can.

The other interesting situation deals with the new rules for apartments. I know that in the province of Ontario, prior to the NDP law of some two years ago which legalized a lot of the basement apartments, we had a real problem, not only in Metro Toronto, not only in Ottawa. We had a real problem in a place like Kingston as well, where we had dozens upon dozens of illegal basement apartments that had, in many cases, existed for a long time. For years, we didn't know what to do with it at the municipal level. What do you do from a practical viewpoint? Let's deal with it from a practical viewpoint.

There've been people living in an apartment. They may be living in a single-family area, they were not legal non-conforming uses, so what do you do with them? The municipality had one of two choices. You could kick them out and put all these people out in the street, especially at a time when there wasn't enough housing, and you may well recall we were in that situation not too

long ago. So the government took what I believed was a very reasonable position at the time and said: "Look, we've got to legalize the situation. We've got these hundreds of thousands of illegal apartments in this province and we've got to legalize them."

**Mr Murdoch:** Tell us what you did.

**Mr Gerretsen:** Just a minute, now. Now the minister is saying, "We're going to make those units legal, because they were legalized under the old act." That's fair enough. They should be grandfathered, I agree. But we're going to allow municipalities the right not to allow these apartments to be created in the future.

What I find very inconsistent about the Conservative approach to that is that you are the party of free enterprise. You are the party that would just love to have government go away so people can do their own thing. You are the party of property rights. Mr Jackson came to Kingston and gave the most thunderous speech I've ever heard to the Kingston and Area Real Estate Association two or three years ago about property rights. If you want to be consistent and you want to be all in favour of property rights, why are you now allowing municipalities to take those property rights away from the single-family home owner who wants to create an apartment in his building?

All I'm saying is that if you want to be consistent and if you truly believe property rights are a person's own domain etc, then stay away from it. If they want to build a second unit in their house, why stop them? It seems to be very much against the property rights values you espouse.

**Mr Murdoch:** Did you agree with the NDP bill?

**Mr Gerretsen:** I certainly agreed with the notion that something had to be done in this province. The municipalities had been struggling with this problem for years and years on a non-partisan basis. We had all these thousands of apartment units that were illegal at the time, and something had to happen. You either allowed people to flout the law when we all knew that these apartments existed all over the place, or you legitimized them, or you shut them down. The way that was taken at that time was the most reasonable way, as far as I'm concerned: to legitimize the situation where otherwise thousands of families would have been involved. Obviously the government agrees with that as well, because you're not going to outlaw them, and I think that's the right thing.

But if you want to be consistent with your own position in terms of property rights, why did you find it necessary to put in an amendment which would allow municipalities to no longer allow these basement apartments to be built? That, to me, is totally inconsistent. I know why you're doing this. You have been lobbied by an awful lot of single-family home owners, and municipalities on behalf of single-family home owners, to take that action.

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**Mr Murdoch:** Why don't you to speak to AMO next time?

**Mr Bisson:** On a point of order, Mr Speaker: I am trying to listen to the member's speech in regard to what he has to say on this bill, but I can't hear him, sitting

next to him, with the heckling from the other side of the House.

**The Acting Speaker:** Thank you for your help. It's not a point of order, but it's well received.

**Mr Gerretsen:** I would have been happy to take up that position with AMO some time ago. You know, AMO wasn't always that consistent. Let me just tell you about a very interesting situation that I well remember, and I think the record will bear me out.

**Mr Murdoch:** We all remember when you were president.

**The Acting Speaker:** The member for Grey, you are disturbing the peace, honestly. You should not interrupt the member for Kingston and The Islands while he has the floor. Wait for the occasion for you to ask questions or comments. In the meantime, I would ask you to refrain from heckling, please.

**Mr Gerretsen:** I can well remember that municipalities, through AMO, of which I was on the executive for eight years from 1980 to 1988, had been advocating for years: "We want more power, we more authority, we want more this and that. Please give it to us." Of course, the Conservative government, that met with the executive on a monthly basis, always said: "No, no, you're a nice group of people. Here, have a cookie, and here's the coffee." The member from Owen Sound even came with us to a number of those meetings, and basically nothing happened.

Then, when the Liberals came into power in 1985, they were fresh and they were eager to do something. We even had meetings with the whole cabinet, when the whole cabinet would come out and meet with the AMO board. Finally, that government had an idea.

My confrères may not like this all that much, but we're in a different position now and I'm well-known for speaking my mind. Mr Peterson had to get rid of a very difficult problem, the Sunday shopping problem. I can remember it well, the meeting at the Royal York, when he wanted to unload it on to the municipalities. I can still remember being at a board of directors' meeting—I believe I was past president at the time—and this thing came up: "Do we want Sunday shopping or don't we?"

Everybody, to a person, except for three people of the 88, of which I was one, said: "No, we don't want the Sunday shopping decision. That's too much of a political hot potato. Leave it with the province." My approach at that time was: "If you want Sunday shopping in Kingston or Windsor or Niagara Falls or Sault Ste Marie or downtown Toronto, that's a local decision. That's where it belongs, that's where it should go." Of course it went there and eventually all the municipalities made their own decision and now Sunday shopping is no longer an issue with the vast majority of people in this province. It's interesting to note that a lot of the people—not all of them but a fair number—who were totally opposed to Sunday shopping I see now shopping on Sundays. In other words, what was a major issue then is no longer an issue.

The thing was that the municipalities, that were always looking for more authority and more autonomy, didn't

want that one at the time because it was too much of a political hot potato. I realize full well that if municipalities want to be consistent, they should take the good with the bad. But the problem is that the ministry and the government are inconsistent as well, because they are preaching autonomy on one side, and on the other side they're in effect taking powers away from them.

In that regard, I would just ask the minister once again to review those sections of Bill 26 that deal with restructuring and with setting up a commission and the huge powers he has given to himself to be able to impose by way of regulation on a commission he sets up, where basically a municipality will be totally unable to act on anything whatsoever or with respect to any act whatsoever unless they have the approval of the minister.

**Hon Mr Leach:** John, your nose is going to grow.

**Mr Gerretsen:** Well, it's there. I'm sure you've read the bill since yesterday, and I'm very pleased to see that.

**Mr Murdoch:** Are you getting off Sunday shopping now?

**Mr Gerretsen:** No, I'm not getting on Sunday shopping. I keep hearing an echo in this place, Mr Speaker. I don't know where it's coming from.

There's another area that I find interesting and, from an administrative viewpoint, the right way to go; that is, to make the Ministry of Municipal Affairs and Housing the lead ministry, the ministry through which all the various other ministries' comments on developments etc are funnelled. I think that's a good idea.

The problem, though, is how does the public get hold of the various inputs from the other ministries that are funnelled through the Ministry of Municipal Affairs and Housing? Right now they are quite readily available. Once it becomes completely an internal process, I'm not sure what mechanism is in place so the general public—not necessarily the municipalities; they're going to get the input and get all the reports from the various ministries, no doubt. But how is the general public going to get access, for example, to environmental reports done through the Ministry of Environment and Energy and funnelled to the Ministry of Municipal Affairs and Housing?

**Hon Mr Leach:** Just ask.

**Mr Gerretsen:** The minister says, "Just ask for it." Or somebody said, "Just ask for it," Mr Speaker.

**Mr Murdoch:** You're hearing things.

**Mr Gerretsen:** I am hearing things.

It may be so, and undoubtedly while the minister is the minister—of course we don't know how long it's going to be, but while he is the minister—I have his word now on the record that all we have to do is ask for those records.

But now what happens? The problem is that with any law we pass here, it doesn't just deal with the present minister and his goodwill towards municipalities, but who follows him or what government may follow him? Unless it's actually written in the act that the public will have access to the records and the information funnelled by the other ministries, after comments, to the Ministry of



Municipal Affairs, we have absolutely no assurance that will actually happen.

**Mr Murdoch:** I'm going for a walk. It's too boring in here.

**Mr Gerretsen:** Thank you very much. I suppose there is a rule against locking the door to certain members, is there, Mr Speaker? Anyway, I'm glad to see that the minister has a sense of humour and that he can laugh about this, because I'm sure some other people might think this is pretty sad.

It's very interesting, just dealing with how the general public is involved in this, that public meetings no longer are a requirement with respect to land severances. I don't understand why that is so.

I know what the minister will say with respect to all of these items, that it has been done to speed up the process. I know there's a requirement in some cases that people have to appeal within 20 days rather than 30 days etc, and sure, that helps a little, but that's not where the delays are. Let's be practical about this. Under the act where it says, "Municipalities shall deal with an application within a month," from a practical viewpoint, they don't deal with it within a month; they can't handle it within a month.

The real, practical problem with respect to this is the fact that to get an answer back, whether it's from the ministry or from the local municipality etc, quite often simply takes too long. The process has to be speeded up, not so much with legislation but administratively in our municipalities and within the provincial government service. That's where the problem lies. I'm absolutely convinced of that, and I speak with 20 years' experience not only in the municipal field but also in having been involved in some of these applications on behalf of my clients from time to time.

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The actual time limits are not the problem at all; it's the administrative process time limits. Let's face it, if a developer knows his application is moving along quite smoothly, he is not going to object to the fact that a ministry may take an extra two or three weeks or an extra couple of months, because doing that may very well jeopardize the approval process with respect to that application.

The real problem lies within the administrative processes of the municipalities and of the provincial government itself. I think it would be a lot better if both municipalities and the provincial government started looking at some of their internal processes, because the people who ultimately end up paying for this are the people who buy the lots, who buy the houses, who are the consumers of these services. Maybe we should take a look at our own house before we start changing the actual rules and regulations.

I'm almost to the end of my contribution.

**Interjection:** Thank God.

**Mr Gerretsen:** I see that some people may be happy about this.

I certainly think the act goes a long way in dealing with the time periods involved, in trying to speed the

process up. On the other hand, I really do not think the manner in which the general public, the people out there, have been excluded—it's all right for the minister to say, "I've spoken to AMO." AMO is a great organization, but they do not necessarily speak for all the people of the province. If all the people agreed about what was happening in each municipality, you wouldn't have any appeals whatsoever. That indicates that sometimes the people in the various municipalities don't agree with what's happening. It's unfortunate that the general public and their role in the process have to a large extent been lost.

There's one final point I wish to make. Regardless of how one feels about AMO or the local municipalities—and I've already indicated to you that I hold most municipalities and most municipal politicians in high regard. Generally speaking, municipal politicians are the closest to the people, deal with them on a day-to-day basis and have a better feel and instinct for what's going on in their communities and the wishes and longings of that community than certainly we here at the provincial level or at the federal level.

Having said that, I fear that what's happening, not only in this area but also in many other areas—and it really deals with the ideology of the government and the direction in which it wants to head—is that the government is abdicating its total leadership role in planning matters. There is a role for the province to play there, and there is a role for municipalities. As I indicated before, both of them should play their parts a lot quicker.

If there's one thing I've learned in politics over the years, it is that most people, when it's a negative decision about any aspect, whether it's administratively or politically, would prefer not to make a decision at all. Unfortunately, I think that's what's been happening, to a large extent, within the municipalities, for example, on development issues. Rather than telling a developer he's way off base and, "Come back with an entirely new plan," what usually happens, rather than saying no, is that matters are delayed and further negotiations take place etc. I'm a great believer in telling an individual where the municipality stands or where a government agency stands on a particular matter a lot quicker than is normally the case. To that extent, time is certainly money.

I hope the minister will think through some of these ideas I have talked about and that, undoubtedly, others will as well. There has been a basic inconsistency in approach. On the one hand, we're saying to municipalities, "You're our partners and we're giving you greater autonomy because we haven't got the moneys to give to you any more." But in some key areas the government is still keeping the powers. The best way is in this whole restructuring model I spoke about earlier under Bill 26, where the minister has kept for himself some pretty stringent powers if he wishes to impose them through regulations etc.

I say to the minister, try to be consistent in the legislation you bring forward. I don't think you are, and this act certainly isn't doing it.

**Mr Bradley:** I appreciate the opportunity to comment on the proposed changes to the Planning Act. My views may not be precisely the same as those of some of my

colleagues in the House, including some of my own colleagues in the Liberal Party. That's the great advantage of this Legislature: It does allow us an opportunity to talk about legislation that's forthcoming and whether we believe it's wise.

If one were to ask the question, "Is it desirable, where there is good development about to take place, for that development to take place in a timely and appropriate fashion?" I think most fairminded people in the province would agree that should be the case.

My concern is that very often, when people are talking about speeding up the process, what they are in fact talking about is removing some of the impediments which have been of benefit to the people of the province, not of detriment.

This bill I see as a desire on the part of the government of Ontario to remove many of the environmental controls which have been placed in this province over the last several years and to replace them with a rather wide-open system in which developers would have almost free rein to develop the province as they see fit.

I think it's there because, first of all, there's a philosophy in this government that virtually all government is evil and the less government you have, the better, because government is an intrusion into what they call the natural market forces. But government has been established as an instrument of fairness—in its best sense it should be an instrument of fairness—and on some occasions an instrument of redistribution of wealth.

It is also desirable that government act in a way that would allow, if not the determining of outcomes—that is not very possible—certainly providing equal opportunity for people in the province.

The amendments to Bill 163, which was introduced by the New Democratic Party after wide consultation across the province, in my view are designed to lighten the environmental load on those who wish to become involved in development, whether it's those at the local level in local public office or whether it is those who wish to be the developers. If I were a developer who wanted to see wide-open development, I would certainly be in favour of the Progressive Conservative Party and the legislation that's forthcoming. Probably a lot of support would have gone to the Conservative Party.

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My friend Morley Kells, the member for Etobicoke-Lakeshore now, used to write for the Urban Development Institute a rather interesting newsletter. Mr Kells is a very bright person, in my view, and though I disagreed with many of the things he wrote in there, I think he had a good analysis of development in Ontario and he put the case in his newsletter for those who wanted to see development take place. He often was critical of environmental controls, but he allowed for and engaged in what I would call an intelligent debate of the issues of the day. I want to commend him for that, even though I disagreed with him on a number of the issues he brought to our attention. He still provided a service in that he put those issues before the public and had them debate it. The public ultimately makes that choice and we as elected

representatives I believe have an obligation to respect that choice, though an obligation at the same time to intervene where we believe it is important to intervene.

I have been a long-time advocate in my area of the preservation of prime agricultural land, and that is because in the Niagara region we have considerable prime agricultural land. It's prime for a couple of reasons. First, much of the Niagara Peninsula, although not all of it, it is class 1 farm land, and almost throughout the peninsula one of the advantages we have is climatic conditions. It is estimated that there are probably 27 or 28 more growing days or frost-free days below the escarpment than above the escarpment. This allows us to produce some products in the area that are not easily produced in other places. It's called the tender-fruit area of the province. There are some harder fruits as well, such as apples and pears, but they can be grown in other areas. We're essentially talking about those which, if exposed to frost late in the season or very early in the season, can have considerable damage. So we have a rather unique area.

Everyone thinks Canada is a large country, and we are a large country, but if you look at Canada, not much of it is really arable land. Yes, we have more arable land than a number of European countries, but much of it is a mass in the very north part which doesn't grow very much, for two reasons: (1) the soil conditions, and (2) probably more important in this case, or of at least equal importance, the climatic conditions.

So where we have prime agricultural land, where we have good soils and weather conditions or climatic conditions that permit the growth of certain products, I believe we have an obligation to preserve that land. I was disturbed today, for instance, when I heard the announcement that the government was going to sell off lands around Seaton. I know there are natural forces out there, people will tell me, but looking at Metropolitan Toronto, I've watched it expand over the years into good agricultural lands. Some of my colleagues from eastern Ontario tell me that some of the land along the 401 could not be characterized as good agricultural land and would, if economic determinants told us so, be good land for development purposes. I'm not anti-development. I simply want to see development taking place in what I consider to be under appropriate conditions.

I've always wondered why—I haven't wondered why; I know certain economic reasons for it. If you look along the 401 to the west of Toronto, you find a lot of good agricultural land, and unfortunately we've decided to put a lot of our apples in that basket in terms of development instead of along the 401 to the east, where they have less favourable climatic conditions and less favourable topography.

That is why I think the province has a significant role to play in the preservation of these agricultural lands. This was a major issue, I recall, with the Globe and Mail in, I'm going to say, 1975, 1976, 1977. Stephen Lewis, who was then the leader of the New Democratic Party, rose in the House on many occasions to say that 35 acres an hour or something of prime agricultural land were going to development.



I think we have to be fair to differentiate between that which is prime and that which is not. I understand economic circumstances that militate in favour of development, but I find it difficult to accept, as I've said to members of this House on a number of occasions, as I drive from St Catharines to Toronto or Toronto to St Catharines, some of the development I'm seeing taking place along the Queen Elizabeth Highway.

Mississauga and Oakville and Burlington are developed, and that's accepted. They have subdivisions there. Some very attractive development has taken place; some less attractive development as well. But you often have these warehouses right along the highway. I guess it makes economic sense for those operating that business to have it right along the highway, but I must say that when I see it creeping past Hamilton and into the Niagara Peninsula, where there was prime agricultural land and where we had tender fruit growing—and I recognize the problems, I must concede there are real problems for farmers today and that we have to save farmers if we're going to save farming—how nice it used to be, just from an aesthetic point of view, to be able to drive into the peninsula and see that. Now all we see are these warehouses that employ 10 or 20 people, and that's nice.

If, I suppose—and one has to understand sacrifices—there were an 8,000-person plant being built on a site, one might still say, "I do not like the fact that the agricultural land is disappearing," but at least one could see an immediate benefit to it. When you see the kind of development taking place, listen, I know the local people like subdivision development. If you talk to the mayors of the municipalities, most—no, I shouldn't say "most"; many municipal politicians believe that until every last centimetre of property within their city is developed they somehow haven't achieved success, that growth is automatically good for a community and that they should be trying to expand their boundaries.

When I was on St Catharines city council back in 1977, there were a few of us at that time—and there's been a change, by the way, because many of the farmers at that time were in this battle—trying to preserve that agricultural land, trying to restrict the growth boundaries of St Catharines at that time. You know, as municipal politicians that's usually not the way to go, that's usually not what's popular, because as municipal politicians you usually want as much territory within your boundaries as possible and as much potential for growth.

I can tell you that in the north end of St Catharines, where I reside, some of the best agricultural land was there and there were houses and subdivisions built on that. I understand the QEW was put through the northern part of the Niagara Peninsula and that this has attracted development, as have the railway lines. Nevertheless, there is land which is less attractive, in terms of its agricultural use, south of the escarpment that probably should have been developed, if development was to take place.

I look at Grimsby now. The mayor of Grimsby, I'm sure, is delighted to see the new subdivisions going up. But you know, you used to go along Highway 8 and you'd see just a beautiful territory as you went through

there. I'm not a person who is necessarily enthralled with this as much as other people might be, but there was a beauty to that land as you went down Highway 8 and looked at the escarpment, which was largely undeveloped to one side, and the plush agricultural land and the trees in that area. They're putting in subdivisions now and some people will say, "Isn't that great? That's progress," and it is in some cases progress when you put in subdivisions. But who are the subdivisions for?

Because Grimsby itself is growing, because there's a new industrial operation there, a new business operation, the answer is no, those subdivisions provide cheaper housing for people who work in Toronto and perhaps other areas that are just outside of Toronto. So there's no real, net benefit to that community to be building houses and destroying this agricultural land to serve Toronto. I don't blame the people who reside there for that—it's very legitimate that they're seeking lower-cost housing—but here we are destroying that land for that purpose.

Now it's creeping towards Beamsville and Vineland, and as I've said before, and I will no doubt annoy my friend the mayor of Lincoln when I say it, for the life of me I cannot see why we're putting subdivisions into Beamsville and into Vineland. Last time, when the New Democrats were in power, they had pressures from people who wanted new additions to schools. I would have to go out and look at the situation and say, "Yes, indeed, it looks like you need a new addition, or certainly more portables," and nobody likes portables. But the reason that was happening was they were building new housing developments in Beamsville—not for the people of Beamsville, but for people who resided somewhere else.

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To me, there is very little benefit to a community to be a bedroom community for a large metropolitan centre such as Toronto, and that's what I fear is happening in the Niagara Peninsula. Intensification is part of that answer. I see the member for Markham is here. I have noted some interesting development that's taking place in there and in other communities as Toronto expands. It's often a difficult pressure to resist, but I really wonder, when we look at some of the land out there, if some of the land should be developed, if that should be the case. It's a philosophical difference that I certainly accept when I see that kind of irreplaceable land, because once you put the development on it, you can't take the development off and start putting agriculture back. When I see that happening, I become very concerned.

I see the member for Durham West is here, and she has within her constituency some very good agricultural land, and while a less favourable climate for agriculture than say the Niagara Peninsula, nevertheless one which is more favourable than many other areas in the province. I would lament losing a lot of the agricultural land that would be located in her area, and no doubt she finds it somewhat nice to have as well.

This bill concerns me for a variety of reasons. It may not be as drastic as some have suggested, but I think the bill is moving in the wrong direction, for a couple of reasons. First of all, there's a presumption that development in a community is of benefit to the community in

terms of assessment. Dr Joseph Kushner, who has been on St Catharines city council since 1976 and is a professor of economics at Brock University—and I should add to those of you who don't know Dr Kushner that he is in fact a small-c conservative in his approach to economics—has put out a paper which I thought was very good, one several years back called *The Effect of Urban Growth on Municipal Taxes*. I recommend that to people in this House, because it will clearly demonstrate, particularly to those who know municipal politicians, that this kind of growth of assessment isn't necessarily beneficial to a community when one looks at the total cost to the community of that development.

Second, and coming out in the next edition of *The Canadian Tax Journal*, is another paper, called *The Determinants of Municipal Expenditures in Ontario*. Both of these are worthwhile reading because they debunk some of the myths that are out there, perhaps some of the understandings that people have had about the automatic benefit of development, because when a community does have residential development, for instance, there are a lot of costs that must go with that. Those costs are both what we call soft services, such as recreational services, school services, libraries and so on, and hard services, which involve such things as sewers and the provision of water and things such as garbage service and so on.

**Mr Murdoch:** Where would the member put everybody? Do you want everybody to live in high-rises?

**The Deputy Speaker:** The member for Grey-Owen Sound will come to order.

**Mr Bradley:** So there is some considerable cost that comes with that.

I'm not saying that there aren't some benefits; I'm saying there's an automatic presumption that this is an overriding benefit. I think if you read these papers—keep in mind they're written by a small-c conservative economist, certainly not any wild-eyed liberal by any means, as he would tell you if you were to talk to him. They certainly would tell you that the benefits of development aren't always what they're cracked up to be.

The bill gets into a situation where it starts changing some of the items, some of the provisions of the previous legislation brought in by the New Democratic Party. Now, I didn't agree with everything the New Democratic Party did, but one of the steps I thought that was progressive on their part was the development of Bill 163. Again, there are some people in this province who don't adhere to NDP philosophy and don't necessarily always agree with their economic suggestions or some of their social policies, who will tell you that, despite that, they thought that—and these again may be small-c urban conservatives—Bill 163 contained the kinds of provisions which would allow us to protect some of the better things that we have in Ontario. We are now going to change, I am informed, the requirement that planning decisions be "consistent with" provincial policy statements, delete that and replace it with the former requirement that they have "regard to" provincial policies.

I think the province has an obligation to consult widely and then to develop policies for the whole province. I

happen to believe that the people of Manitoulin Island have a stake as well in the Niagara Peninsula, as I have in Manitoulin Island. We're all part of one province. I'm equally proud of all parts of this province. As I do in this country consider the oil fields of Alberta and the lumber of British Columbia and some of the water resources of Quebec and so on, the fisheries at each coast, to be as much mine as a Canadian as they belong to the people who reside in that area, I look at Ontario in somewhat the same way, which is why I think it's important to develop good provincial policies.

The Ministry of the Environment, in years gone by—I can assure you, a number of years gone by—was a ministry that had little to say, at least little influence within government. When it clashed with Municipal Affairs or Transportation or Natural Resources, any other ministry, it was elbowed aside quickly. It was given few resources, few staff, and was unable to carry out what I felt was its legitimate obligations. I know that it is a sin today to talk about having expanded or having developed new programs. The Ministry of the Environment, from 1985 to 1990, did in fact expand, not only its mandate, but also its resources and also its influence within government. I think it was positive for the whole province that for once the Ministry of the Environment wasn't elbowed aside by some other ministry.

I requested of the Premier of the day, for instance, that the Ministry of the Environment have control over the Niagara Escarpment Commission and Niagara Escarpment Plan, which used to be under the purview of the Ministry of Municipal Affairs, and that was because the mandate of the escarpment was to protect that escarpment land. I wish to give credit on this occasion, as I have in the past, to Premier Davis and to the present Minister of Consumer and Commercial Relations, Norm Sterling, who both played a significant role in the establishment of the Niagara Escarpment Commission, because they were people who wanted to preserve what they felt was best in this province. When you talked about the term "Progressive Conservative," they genuinely wanted their party and their government to be a Progressive Conservative government. I want to commend them for taking that initiative, which I think enjoyed widespread support among the three parties in the Legislature.

I understand there are those who are opposed to it. I don't reject their views—I'm very tolerant of the views of others—but I think that was a major step forward and I think it's not a step forward when I see Municipal Affairs now taking control of many aspects of the government because the government wishes to speak with one voice. Listen, I had people in my own cabinet at that time who would agree with what you had said in those terms. What I thought was a good dynamic for our previous government was that you had in fact two or three different ministries unafraid to indicate what their views would be on an issue. Instead of one emerging and bossing the others around, there was a choice out there.

I watched as the Minister of Agriculture and I both fought a particular development in the province of Ontario which was, to me, very, very bad planning. The Ministry of Municipal Affairs was all for it moving



forward. The person who was the developer was a very influential person who had certainly great influence over the local people in the area and was going to get his development through. It was the comments of the Ministry of Agriculture and Food and the Ministry of the Environment which eventually made that development not a viable one in terms of government approving it, because it was detrimental according to all planning concepts.

That is not going to happen if only the Ministry of Municipal Affairs is going to have the final say, if the government speaks with one voice. Those arguments will take place, and some will say it's advantageous to have the arguments in government take place behind closed doors and then you emerge, as you do, with a caucus with one unified position. I think there's an interesting dynamic when various ministries publicly make their views known. Then the government has to make its choice, and I understand that whatever choice the government makes, it certainly has to live with.

I want, as well, to express the concern that some of my own colleagues do not agree with and some others in the House may not agree with, and that is that when you turn more and more local control over development over to local people, you place a greater pressure for development in their hands. Let's put it this way: It's much easier for developers to have influence on those at the local level, because they live in the community very often, they work with people in the community, they may belong to the same service clubs or other organizations, churches and so on, and so their ability to influence the local council towards development is far greater than it is to influence the province.

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People often criticize the province. I don't necessarily always criticize the province. There are occasions when that's going to happen, when it makes policy that is consistent across Ontario. I think there's a danger in turning too much of this power over to the local people who will bend to development. Why is that going to be even more of a problem now? It's going to be more of a problem now because the provincial government, because of its economic circumstances, has made a decision not to transfer as much money to local government. Instead, it has transferred power or it has, supposedly—I haven't seen that yet, but I may see that—a stated intention that it wishes to turn more power over to local government.

The problem with that is these people are going to be desperate, in many cases, to get more revenue. We've had a discussion in the House about some of the potential sources of revenue. What I would want to address this evening during this bill is the fact that revenue will be a goal for many and that they will try to obtain that revenue by allowing developments they normally wouldn't allow within that community. The developments, in the long term, are not going to be good for that community, and that's why I have a great concern about that.

It says that time frames for processing applications will be shortened. In theory, that's good. There are a couple of ways of doing it. The government will reject the first.

I should share with some of the members of the government, there was something called Project X that was in another ministry when I was Minister of the Environment. That's what it was labelled by, I think, some of the people in the news media and some, perhaps, in the environmental community.

Essentially it was, as I refer to it, a cell in the Ministry of Finance, and that cell was there to try to find ways of circumventing the Ministry of the Environment, in my view. Some of my colleagues suggested a conspiracy theory or paranoia setting in. I couldn't quite agree with that, because I happened to know what was going on. But essentially it was there to circumvent the Ministry of the Environment, which had grown considerably in influence.

Their view was that everything should be speeded up. Indeed it could be, but to do it appropriately you would have to have—and this is something governments never want to hear these days—more staff to be able to do it, to do the same job in a shorter period of time. I understood there were problems. When you have several different ministries commenting—sometimes they didn't comment in a timely fashion—I could understand the frustration of some who wanted legitimate and good developments to get through and who were held up. But you will buy a lot of problems if you simply bypass these various departments of government and allow developments to take place with just a glance at some of the plans and not looking into the future at some of the potential problems. I described one the other day in this House as a development which took place in Kitchener, right near an old garbage dump. They had an explosion. They had constant problems in the development because of methane gas nearby. Those kinds of developments taking place are not positive for this province.

I go back to: "The Ministry of Municipal Affairs and Housing will be identified as the only provincial ministry that can appeal a planning decision to the Ontario Municipal Board. This will ensure the province speaks with one voice on planning matters." This is the problem, that only the Ministry of Municipal Affairs will be able to do that. I think other ministries of government should be able to do that if they see fit. I think that's a good dynamic of government. It's not quite as efficient, it isn't centralized, but I think in the long run it benefits the people of this province.

It says, "A new official plan process will be implemented to allow the minister to exempt municipalities from the requirement for ministerial approval of official plans and official amendments." I don't think that's wise, again. I think if there are going to be those amendments, the Ministry of Municipal Affairs should comment, should determine whether they adhere to provincial policy or not, and then decide whether they should be able to proceed. Otherwise you have a hodgepodge of planning across this province.

The New Democrats in their legislation had a provision giving the province direct authority to prescribe the content of official plans, and that will be deleted. Again, if you want to have a consistent policy in the province you cannot delete that and still have it.

Here is something which is particularly of concern to me: "The government will review the environmental

standards set out in provincial policy statements over the winter of 1995-96. The review will investigate whether the policy statements which guide Ontario's land use planning systems are clear, concise, deal only with issues that should be under the jurisdiction of the province and focus on the expected results rather than the process of achieving those results." I'm concerned when I see that happen, because I know what's happening in Ontario now.

The Ministry of Environment and Energy has been told to be more business-friendly. Well, that means only one thing when they're told to be more business-friendly: that means that you start watering down environmental requirements.

There are two sets of people who are badly affected by that: First, the general population, which must put up with the environmental problems which are always worse when you have to deal with them many years down the line than they are when you deal with them through prevention. Second, it is the companies, the corporations, the municipalities, that have already spent the money, that have already trained their employees and educated their employees, that have already put the resources into environmental improvement, who when these laws get watered down, look down the street at others who are now having an easy time of it.

If you want to see where that is happening, it's the municipal-industrial strategy for abatement, the municipal section, where I know they're being watered down.

The people complaining are not necessarily the public, because the public don't know about it yet. They're not environmental reporters, because heaven knows they're not allowed to put much in the newspapers any more because other issues have been considered to be more important. They are in fact those companies who have already spent the money on these environmental improvements, who've been good corporate citizens, who've complied with the laws of Ontario, who now watch as the Ministry of Environment and Energy allows others off the hook and thereby allows others an economic advantage, as well as an environmental disadvantage for the people of the province.

As the Minister of Environment is left with fewer staff and fewer resources, she will find—and the government will find—that that ministry will have less of an opportunity to carry out its appropriate mandate, a mandate which, I think if you scratch the surface, you will find the people of this province want. They're not going to list the environment as their number one issue today, because economic issues are dominating and there are other important issues out there, but once you ask them to get by those issues, they will tell you almost to a person, regardless of their political affiliation, that in fact they have a concern about the environment.

When I see the province going to review all these, there's only one reason it's going to review them and that's with a view to watering them down and weakening the environmental system in this province, and I think that would be a step backwards.

The amendments to the Development Charges Act will allow municipalities to extend existing municipal devel-

opment charges bylaws indefinitely. These amendments do not affect the education development charges, and after November 16, it is stated: "New development charges bylaws or amendments to existing development charges bylaws will require the approval of the Minister of Municipal Affairs and Housing. The minister's decision is final in these cases. Approval will not be required to extend the term of existing bylaws, decrease charges, place a moratorium on charges, phase in or index charges."

What I'm concerned about here is, you're going to say to municipalities: "We're giving you less money. We're going to give you more control, but you're not going to be able to get that money through these kinds of development charges." I know there's a feeling over there among some people that they should be restricted only to hard services, that is, such things as sewer and water services and road services, and that development charges should not take into account the increased burden on the municipality that comes with new schools being required, but more appropriately, I guess, if I want to be fair, in terms of strictly municipal charges, libraries, swimming pools, baseball fields, hockey arenas and so on. Yet all of those soft services are required when you have new development. What we're in effect saying is that that cost will be assumed by all of the people of a community, even though those people have very often already paid for those through their taxes and through the original development charges that may have been levied on their houses.

#### 2110

So I think to say to the municipalities that you're going to get less in the way of transfer payments, that you're going to get less for transit, you're going to get less for a variety of other operations—library service, for instance—but you cannot—at least, we're going frown upon you having development charges which would apply to soft services, I don't think is fair to them and I don't think is appropriate, although I know there are some who disagree.

I see two of my former colleagues from the Ontario Legislature, who were in the New Democratic Party, this evening, Mr Ron Hansen, the member for Lincoln in years gone by, and Ms Christel Haeck, who was the member for St Catharines-Brock, and who no doubt are enjoying my speech this evening in the Legislature.

I want to talk as well about the seven new provincial policy statements that were to be implemented in the official plans to guide people in development decisions. They took into account the following areas: the natural heritage, environmental protection and hazard policies, economic, community development and infrastructure policies, housing policies, agricultural land policies, conservation policies, and interpretation and implementation. Generally the new policy statements were more restrictive against development and vague.

There's one reason why you want to have some consistency, I think, in the province, and that is, you don't want to get into the American system. Thank goodness, we don't have this. I heard somebody saying we should have it, and I think it would be disastrous, and



that is, in the United States, where you can compete with one another. The way you compete in the United States—in fact, they give money or give tax breaks to people community to community. In fairness to the government, I've not heard the Minister of Municipal Affairs or any other member of the government talk about this and I know that they know the evils or the disadvantages in the United States of that system which allows competition. The minister is nodding in agreement, or nodding off at my speech, one of the two. I can understand the latter this evening. But I hope we don't get into that system and I certainly place that before the members of the Legislature. I've heard nothing that the government would say which would indicate that would happen. In fact, the government is moving in the opposite direction. It has made a decision not to provide assistance to businesses and corporations on a direct basis, and that is a policy decision which some may hail in this province and would be somewhat consistent with many of the other things done. So I would give the government credit for consistency in that regard.

I hope we don't get to that system, but let me point out that if we allow these kinds of variations from the provincial policy statements locally, it could have a bit of a similar effect, where some would say: "Let's go to community X because community X has lower environmental standards. They'll look the other way if we do this or that, whereas community Y tends to be more in line with the provincial policy statements or what the province has stated it wants." That again can happen and that again can be a problem.

I want to deal with the issue of land severances in the Niagara region, because land severances are, in my view, the death by a thousand cuts that can happen. The Minister of Agriculture, Food and Rural Affairs is now considering, I guess, a program put forward by the regional government in Niagara which would allow what they call economic severances. I know there are people who disagree with me; there are people who want to meet with me to convince me that I am wrong, and I appreciate their point of view. Again, I don't discount the points of view of others, but I happen to believe that the severance route is the route to long-term ruination, unless you really want to see urban development take place, unless there's a policy decision to do so. To allow these severances simply allows for a conflict.

Some of the rural members will know exactly what I'm talking about when I talk about urban people who want to move out into the countryside. And it is nice out there because it's supposedly a little quieter. You don't have the rush of traffic. It's supposed to give you peace of mind when you're out there, and it usually does, until, in our area, you hear a bird-banger. A bird-banger, by the way, is a machine which is supposed to scare away birds from the fruit trees in the area, and it makes a lot of noise. Or there are agricultural vehicles which make a lot of noise. There is dust. There are odours. You can't have a pig farm without having odours or a chicken farm without having odours. And so the people move out there and then they start complaining about the farmers and say, "Isn't this awful," and they phone the Ministry of Environment and Energy, they phone the local councillors, they phone everyone to complain about a circum-

stance that was there, thank you, before they arrived. They wanted the country estate, but they don't want the other conditions which exist in the country. That's why I think it's unwise to allow those kinds of severances for that reason.

There's a second reason, and that is because they demand, they believe legitimately, urban services once they get out there. "It's nice to have that country setting, but can I please have street lights? Can I please have sewer and water? Can I please have my roads up to the conditions the roads are in the other parts of the municipality," and that is the urban parts.

So I think if the government were to allow that severance policy to proceed, a very liberal—small-l liberal—severance policy to proceed, I think it would be unwise. I have pleaded with the Minister of Agriculture, Food and Rural Affairs not to do that.

Now, does that mean we should abandon the farmers? The answer is no. Again, there are a lot of agricultural people here. One of the reasons, I think one of the legitimate complaints, and when we get into the planning process, that farmers will put forward when you're asking them to retain their land and agricultural settings is that we don't pay for the food. In North America we don't want to pay the farmer what the farmer should get for the food. Very often this is the case. It's a chancy business. It is subject to climatic conditions. It's subject to natural disasters of all sorts. I believe there is an opportunity for the government of Ontario to assist the farming community in marketing our products.

We've got excellent products all across this province and with the appropriate marketing I think frankly, with pressure that some of us as individuals can put on the major retailers to have Canadian product and to advertise Canadian product within their stores, that we can be very helpful in that regard. In the Niagara Peninsula, I think we can retail at the farm gate a lot of the products that are there and advertise that as a tourist attraction, because one of the success stories we have is the success story of the grape and wine industry. That required a substantial investment by the federal and provincial government, but that investment has paid off, I think, in terms of millions and millions of dollars into the provincial treasury in the form of taxes that have paid off, if you will, that investment which was made in the grape and wine industry.

So I hope that the Minister of Agriculture, Food and Rural Affairs will not proceed with that option, that in fact will find other options. The previous government had an option, which it rejected. I was supportive of that. But if the government can find other options in terms of assisting with the marketing and retailing of those products, I'd be very much in favour of that. But I think if you allow that development in the rural lands, then you end up with bad development.

There's also an argument which is made that the land—they say, "Well, you know, the land is lying there fallow, nobody is using it, it's not being farmed for agricultural purposes, so shouldn't it go to development purposes?" Well, very often that land is purchased and deliberately left to not be used for agricultural purposes, so that argument—I call it crackpot realism—can be put

forward that the land isn't being used for agricultural purposes, therefore we should allow development.

I think orderly development is good for Ontario. I think, since I've been in this House since 1977, there has been an effort by individuals within all three political parties to establish good land use planning. Remember in the Niagara Peninsula the land use plan that's there, and I felt it was not restrictive enough but fair enough: The provincial government of the day had fairly restrictive land policies, because it wanted to see development take place in a confined, urban area. It may well be, and some of us may have to change our views on this in terms of what we're prepared to permit internally within our municipalities, that we may have to develop in a more intense way than we have in the past. That's a hard transformation for those of us in North America who have been used to having a lot of land out there and the possibility of virtually everybody living in a single-family home with a reasonable piece of property surrounding it.

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I think the government then is, in my view—and I emphasize that my view isn't always that of my colleagues and when we debated this bill before, I'm sure my colleagues who voted against the NDP bill had found reasons for it not to be a good bill—I, in some cases, thought it didn't go far enough and in some cases perhaps it had other flaws in it.

I want to deal as well, while I have the opportunity and the minister in the House, with the Niagara Escarpment Commission and with the fact that I see that in the Niagara Peninsula now that the Niagara Escarpment Commission is down to one employee. It had six employees, six planners, and I think could speed through the process more if you wanted to see the process speeded through with its six planners. It is down to one planner and I essentially believe that the Ministry of Environment and Energy is abandoning the Niagara Escarpment Commission, which I mentioned earlier in my view was one of the hallmarks of the Davis government, of the Progressive Conservative government of William Davis and of Norm Sterling, now the Minister of Consumer and Commercial Relations who, I think, was the provincial secretary for resources development at the time.

I hope that the government does listen to those who believe that the escarpment should be preserved. I tell you, it is a real attraction. It is a biosphere reserve, recognized by the United Nations. I know there are some people within the government and others who want to see that designation lifted so that it would be easier to develop. Go through the United States and look at some of those areas. You've got those huge signs beside the highways, you've got commercialism through a lot of their natural land and I know it produces some economic benefit, but is it ever nice to be able to drive through Ontario, our Ontario that belongs to all of us, and note the natural beauty of the Niagara Escarpment Commission. People used to wonder when I was Minister of the Environment why I wanted to save Temagami and save other areas because I wasn't that much of a hiker and outdoors person at all, but I wanted to make sure that it

was available for others, particularly for our young people, particularly for the future.

And that's what planning is all about. Planning is about the future of our province and how our province will look. I hope that all of us have similar goals as to what we wish the province to look like 20, 30, 40 or 100 years from now. I hope that planning is based on sound principles. I hope that we don't vary from those principles simply because of pressure, particularly locally, from those who believe that everything should be developed. I hope that we do not allow the kind of annexations that I see in Bill 26. I didn't mean to mention Bill 26 because we're talking about a different bill, but it has an effect on this bill and that is in Bill 26 where there can be annexations take place. I remember the annexation debate that took place with, I think it was Westminster township it was called, adjacent to London.

After a lot of debate and public hearings and so on, it finally went through the Legislature, but under the new provisions that we will see in another piece of legislation, cities such as Stratford will be able to annex the adjacent property without the consent of the Ontario Legislature, and I think it's always good to have a debate in this Legislature.

Listen, in my own city, there are probably people in St Catharines who would like to annex Thorold and annex the town of Lincoln and annex the town of Niagara-on-the-Lake. I'm not one of them, but there are people who'd like to do that, no doubt, and if they could do it, and because we're in a regional municipality that's probably not possible, but if they could do it without the approval and the hearings that are implicit in provincial legislation, they would do so.

So I think a lot of the rural members here particularly will find in various pieces of legislation, including Bill 26, which has an effect on the planning process in Ontario, that you're going to have large municipalities wanting to annex adjacent municipalities, gobble up that farm land for development purposes, and they'll be able to do so at the nod of the cabinet because it's being done by regulation as opposed by legislation. As we all know, legislation allows each one of us in this House, regardless of our political affiliation, regardless of the constituency from which we come, to have our say in this Legislature. It also allows the people who can get at us and no one else to have some influence over those ultimate policies.

I hope that my comments are taken into account. I recognize that they're not the only view on issues related to planning in the province, but I appreciate the opportunity to advance this case.

**The Deputy Speaker:** Comments or questions?

**Hon Mr Leach:** I just wanted to thank the member for his very fine remarks. I think he did an excellent job of presenting his case. It's surprising the number of issues that we agree on. I think we all agree that we're opposed to sprawl; all three parties would agree to that. We all support good development and we all agree that there is a tremendous need to protect the environment. All three parties, again, would support that and it's a matter of degree of how you go about that.



One area that I would like to have an opportunity to discuss perhaps at another time with my colleague opposite is the one-window approach for the Ministry of Municipal Affairs and Housing, because it's not a matter of domination, as was indicated; it's a matter of coordination. One of the most major complaints I have heard in the short time that I have been here is the frustrations that municipalities and developers and all agencies that try and move through the province of Ontario's various ministries—you may get approval from five ministries and the sixth one will take you to the OMB and just tie up a proposal for years and years. What they're looking for is, "Even if the answer is no, at least let us know as fast as you possibly can," because time is money and when you tie up your capital for two or three years and then get frustrated at the last moment, it's very difficult. So it's a matter of an attempt on our behalf to coordinate the process so that it works smoother. Probably the member would agree with some form of that.

I'd also like to comment on the member for Kingston and The Islands's approach, and I again agreed with many of the points he put forward on this issue.

**The Deputy Speaker:** The minister's time has expired. Comments or questions?

**Mr Bisson:** I just want to comment very quickly on the position that Mr Bradley has put out. The member is from St Catharines. I know him to be a member who has always been a strong advocate for being able to protect the environment and to take a look at an integrated approach to how we allow development to go forward. I was hoping he was going to go as far as to support the efforts of Bill 163 under the former minister, Mr Ed Philip. I don't think he got that far, but I take it there was some support for the general direction of where we were going.

I just want to very quickly comment on the point that he made about the one-window approach. The member pointed out well to the minister directly: It is not a question of allowing just an easier process to be able to get your development plan approved by the OMB; you really do need to have a process where the various interests of the province of Ontario through the ministries and their responsibilities to the particular interests are really looked at seriously and brought forward before the Ontario Municipal Board if there is a real concern. I can tell you, as I'm sure the member for St Catharines can talk about, how particular developments across the province in our own municipalities at times have been looked at a second time because of concerns that either MNR or MOE or the Ministry of Northern Development and Mines or whatever ministry may have on a particular issue to bring forward that may not be thought about by the Minister of Municipal Affairs or the ministry itself.

So I think it's important that we outline one of the things that's happening in this legislation: Allowing just MMA to appeal to the OMB is really allowing a lot of power in the hands of the minister to be able to muzzle some of his cabinet colleagues in being able to bring forward real concerns that might be raised on the part of constituents within our own ridings. That's one area of the bill that we need to look at in a little bit more detail in committee.

**Mr Pat Hoy (Essex-Kent):** I want to comment on the member for St Catharines's comments, largely centred around the agricultural issue. There's no doubt that the Niagara Peninsula is one of the most beautiful spots in Ontario, indeed Canada. Of course, it has a growing advantage, guarded by the escarpment and the water, and he's indeed correct that they can produce crops of a higher quality and of a different type than most places in Ontario.

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The preservation of farm land is an issue that is of concern to myself as well. The pressures of the urban centres, no matter where they're located—and there are other places other than Toronto that bear these pressures, even into my riding—are of concern. Even within the farm community there is a view that perhaps to preserve the farm prices we would all like to enjoy, those being higher prices, one way to achieve that is to pave over, dig up or build on prime land, and that concerns me very much, that there is a minority of people in the farm community who think that's a way of achieving pricing. That's misguided, to say the very least.

I appreciate the comments of the member on the agricultural component of planning, and he's quite right that once you destroy prime agricultural land, it's gone forever, and we have to be very certain that in the future we keep our minds on food preservation, which comes from land preservation.

**Mr Smith:** I'd certainly like to congratulate the member for St Catharines. It was certainly a thorough presentation and very informative.

I would like to make a brief statement with respect to the comments by the member for Kingston and The Islands, and specifically with reference to the minor variance appeals. I think really what's at the basis of this is determining what truly is a local matter and differentiating between that particular item and determining what is a matter of provincial concern.

I would have to argue that I think certainly a minor variance—the determination of side yards, fence locations, front yard setbacks—are truly matters of local concern, and it's difficult to accept the criticism that the member put forward when in one sense he criticizes that and yet, on the other side of the coin, he's supportive of apartments as a right in basements. Essentially, you could proceed with an apartment in a basement but you would have to have minimal appeal mechanisms available to you with respect to the construction of a fence outside of that basement, for example.

I think there's some inconsistency there, and I'd certainly like to draw that to the member's attention. I think clearly the message from the minister is that the government is prepared to assess and redefine what truly provincial interests are, leaving the local issues in the hands of the local municipalities.

**Mr Bradley:** I appreciate the comments on my remarks, and I'd like this opportunity that members have to be able to do this to direct questions or make suggestions related to those remarks.

To the NDP member for Cochrane South, I should mention that at the very beginning of my remarks I did

pay tribute to the previous government for bringing forward this bill. I thought in some cases it didn't go far enough and I was critical of it on that occasion. It did not go far enough, in fact. In other places, it probably went a little too far; it's hard to say.

But I think all governments have tried to bring forward legislation which would benefit planning. At least this has been the case since I've been in the Legislature.

**Mr Murdoch:** Don't forget my votes, Jimmy.

**Mr Bradley:** I should mention the interjection. I'm not supposed to respond to them. The member for Grey-Owen Sound gets an additional thousand votes every time he establishes that he's on the opposite side of an issue to me, especially if it's a planning issue, so I don't want to give him the opportunity to have an additional thousand votes in the next provincial election.

To the minister's remarks, I appreciate exactly what you're saying with the one-window approach. One of the problems I saw within government was exactly that, that there may be seven or eight different ministries commenting, you may have the approval of six of the seven, and the seventh, at the very last minute, comes in and says you cannot have approval. So there is a virtue to trying to get those ministries together, at least, to get each other's comments.

I think the valid remark that you make, which everybody seeks, is that the person who is proposing a development knows yes or no early on in the game. If there's one complaint I heard which I thought was legitimate, it was the timing of the disapproval indicated of a development or proposal, that it would go several steps down the line, only to be stymied at the end.

So there is some virtue to that. I simply hope that the Ministry of Environment is not elbowed aside by other ministries.

**The Deputy Speaker:** Further debate?

**Mr Bisson:** There are a number of points to be made in regard to Bill 20. I guess the first thing I'd want to say to the minister—and I appreciate that he's here tonight in order to hear some of the comments by my colleagues from the Liberal Party and myself in regard to this bill—is that I think we need to go back a bit and take a look at the process that was undertaken by the former government in regard to trying to bring to head some of the issues, quite frankly, that were thorns to developers and were thorns to municipalities, and in some cases the general public, in regard to how planning takes place in the province.

The one thing that we've long agreed on, both developers, as you well know, and municipalities and stakeholders, is that there really has been an inconsistency in how we approach planning in the province of Ontario—I would say even further than that, across other jurisdictions across Canada—in regard to how they affect our local municipalities, both in regard to the services that they provide and at the same time in regard to how communities work and how communities work together.

Let me be a little bit more specific here. The member for St Catharines pointed out something that was I think somewhat telling: If you take a look at the development

around the GTA and you look at the development going off towards the Hamilton area, quite frankly there hasn't been an attempt on the part of any of the municipalities in that area to take a look at how we're able to protect the interests of the developer, who wants to be able to develop in order to make a profit—and, after all, that is part of what makes our economy go—but there hasn't been really an attempt to take a look at how we safeguard the community interest when it comes to the ecology and it comes to the environment that that development has taken place on.

I think if you take a drive down the QEW and you take off from Toronto and go down to Hamilton or into St Catharines, you will see a number of, I would say, travesties about how planning has taken place in this province. We've seen entire areas of farm land basically bulldozed over by communities and their developers in order to be able to allow certain projects to go forward for economic reasons.

But what we haven't done through that whole process is to take a look at, what are the long-term costs of allowing that to happen? Does it make sense from the perspective of the community, and does it make sense from the perspective of the economy, to allow that to happen? Because in the longer term, I would argue, Mr Minister, some of that can end up in the end costing us a heck of a lot of money. If we allow bad planning to take place and we allow the bulldozing over of prime agricultural land, I think that in the long run our communities quite frankly are hurt by that.

I think if we look specifically to what happened over the last four or five years, at the very beginning of the Sewell report that was commissioned by the former government under the leadership of Bob Rae and the then Minister of Municipal Affairs, Dave Cooke, there was a cry I think on the part of both developers and municipalities that we needed to figure out a way to be able to bring all of those issues to a head so that when we go ahead with planning in this province, we do it from the perspective of reality and we look at, how do we balance off the interests of the developer, which are real interests, against the interests of the environmentalists and the environment, which are also real interests?

I think the minister agrees, and I know certainly I've heard in some of his comments over the past, that the Sewell commission looked at all of those issues in great detail. It was the most extensive consultation ever, I would say, on the question of development in the province of Ontario, because we believed as a government, and as we still do now as a party in third place in this House, that before the government could move forward in being able to make specific rules, both in legislation and in regulations, about how we move forward with planning, we really needed to get a handle on what all of those issues were and how you're able to pull them together and how you can make sense between balancing off the interests of both the environment and the needed developers.

After very, very extensive consultation, the Sewell commission come forward with a number of recommendations, and the minister of the day, Mr Philip, who is no



longer here in this House and hopefully will return, because I've always enjoyed Mr Philip's company within our caucus in this Legislature—I think he brought a lot of experience to this House, and I think he looked at what happened with the report on the part of Mr Sewell, and with his ministry and the people who work for you now within your Ministry of Municipal Affairs—people who understand these issues, I would say, far more than yourself and myself, you as minister and myself as critic, put together—looked at all of that and made a number of recommendations about how we can come to terms with the recommendations of the Sewell commission and put them into legislation.

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We went through an extensive period of consultation and through second reading debate in this House on Bill 163. We moved that forward into committee. It was commented on by a number of presenters at the committee level, and not everybody was in agreement. I fully acknowledge there were developers and there were municipalities that really had problems with what we were trying to achieve under Bill 163, because at any time you try through legislation to be able to give very direct direction—pardon the pun on the words—to municipalities on how they deal with planning, they react badly to that. They see that as an intrusion on to their power and they see that as an intrusion on to their right to be able to decide what's good for their communities.

Their argument is that if I'm the municipality of Timmins, first of all, I'm in the best position to be able to make decisions about planning in my community, and who the heck is the province, or Queen's Park, to tell me about how planning is to take place?

I understand that from the local perspective, and I guess it makes some sense when you look at it from there, but really I think the issue is that you have to look at planning from the perspective of the province as well, because we're both stakeholders in this, and what Bill 163 tried to do was try to marry the ideas of how the municipalities felt and how the province felt and how developers felt and how the environmentalists felt and about how you're able to bring that all back into some kind of terms that make sense from a planning perspective.

I think if you look at the writings of a number of people who've looked at Bill 163, after it was put forward, people who do truly understand the planning issues and are not looking at it from strictly a profit basis, which is I think part of what your builders are trying to accomplish under Bill 20, because in the very title of the act—and I'll come to that later—you talk about, right in the preamble, "An Act to promote economic growth and protect the environment...." I think the onus here is to allow development to go forward in a much more user-friendly way, the premise being that that will lead to a better economy.

I would say yes, you have to allow development to go forward, and there have to be some rules that are consistent, and there has to be a process that makes sense to developers, and you have to be able to move through the process in a fairly sane way. But to say that development

should be put forward strictly on the basis of an economic argument I think is really dangerous for our economy, and I think it's dangerous for our communities.

If we take a look at, for an example, just on the economic side, to give you a bit of an argument this way, we know here in Ontario that many, many companies, when they look at where they're going to establish and set up their organization, let it be a manufacturing facility or let it be an office building or whatever it might be, many companies nowadays, unlike the bad old days, look at, how healthy is the community? They say, "If I'm going to spend millions of dollars"—and in some cases tens or hundreds of millions of dollars—"in investing to build a new plant in a community, or investing to build a new office tower," or whatever it might be, they say: "What kind of community can I provide to my employees? Because if I'm going to be able to attract the best possible employees for my company so that I can be profitable, I want to make sure that I'm able to offer my employees and their families a good, safe community that they can live in, that we can provide them with good schools, that there are good schools around and they're close to the vicinity of their homes, that there are good recreational opportunities," etc, etc.

I would argue that part of what you're doing under Bill 20 and making some of the changes away from the direction of Bill 163 I think really tips the balance back in the hands of developers, who don't look at those issues with the perspective that I think we need to as a community. I really feel, when you look at the bill and you read it—and we can go through this in some detail—it really tips the balance back to the hands of the developer.

I understand the argument that the minister makes and the Premier makes, because I think we're all in agreement that we want to be able to make it easier for projects to move through the planning process. I think that's an area where we don't have an argument—nobody, no matter what side of the House you're on. But I think the danger is that you really tip the argument to the side of the developer, so that some of the issues of community are really not taken into account when it comes to being able to deal with how we move forward with that particular project.

I come from, I consider, a special place of Ontario, northern Ontario, and one of the issues we all understand in the north and we all feel about is being able to find opportunities, economic opportunities for our citizens by attracting investment into our communities.

One of the things that always struck me, as I met with companies who were looking at establishing facilities in Ontario—and I would go there as a local member along with the Minister of Northern Development and Mines, Ms Martel, and the Minister of Economic Development and Trade, Ms Lankin, and the Premier, Bob Rae, before—is that they would look at, "Well, if I'm going to go spend all these bucks, where am I going to go?" I'd be out there saying, "Come on, come to the north, there's some great opportunities up there." They would look at: What are the hospital situations? What are the community situations? What recreational activities are there for employees when we set up? And because there was not

good planning I think in the north initially, we lagged a little bit behind, until 20 or 25 years ago with being able to afford those opportunities to our citizens.

I think that greatly curtailed the ability to attract professionals to service our communities in regard to the professional services that we need, in regard to medicine, education etc, but also curtailed to a certain extent the economic development that could have happened in northern Ontario 20, 25 years ago, if we would have tried to deal with that at the very beginning. I think that's part of the shortsightedness of where this bill goes.

I would hope through the committee process that we're able to talk about some of those issues so that we can really try to find that balance, because again we don't argue with the minister that we want to make planning easier for people. I think it's important that if I'm going to spend money as a developer on a project, I need to know what the rules are going into it, so that I don't spend my time spinning my wheels and trying to figure out which way I've got to go in order to get a permit and what's going to be allowed and what's going to happen. You can spend a whole bunch of money there and be frustrated in the process, and that investor may decide to go elsewhere.

I agree with the minister. We need to be able to balance that. We need to be able to fix that, I should say. But I think not at the expense of protecting our environment and protecting our quality of life in this province.

One of the things that I just want to touch on very quickly is the question that the minister in the bill, in the title, talks about economic growth. The only other thing I would want to say on that is that if we want promote economic growth, I think it's not just looking at how we deal with development. I wish that the government would go back on the broader terms and take a look at what kind of tools we can offer to investors to be able to invest in the province of Ontario, or our local citizens to do the same.

I would only note that a number of programs that were very important to northern Ontario to be able to develop northern Ontario—the economic development corporation or the heritage fund etc—have been cancelled, and I think that's going to have a negative effect. So to say that in the title of the bill we want to promote economic growth I think rings a little bit shallow in regard to some of the approaches that your government has taken up to here.

The other thing I would say just quickly on that point is that we have a number of things that we're able to do in order to be able to make it easier for developers and for municipalities to deal with how we approach planning by looking at how restrictive, to some extent, our system is when it comes to getting permits to be able to go forward with construction and how we do inspection, how the inspectors relate to the building codes they have to follow. I think there's a whole bunch of other issues that we could be looking at that, in the end, would really allow development an easier time to be able to go forward.

I think this bill falls short on that because I was hoping especially from this Conservative government, seeing that

they're supposedly the friends of removing red tape, that we would be looking at those kinds of issues—not giving developers a free ride, because I don't think anybody in our society should get a free ride. I think that we all have to be responsible citizens and, be it a corporation or an individual, we should all pay our fair share and pay our way through society, but I think we should be looking at how development ties in to some of the problems of the bureaucracy that we find within municipalities and some of that bureaucracy within some of our own provincial ministries and federal ministries.

I just give you a very short example: There was a developer in my riding—who actually didn't come from my riding; he comes from Toronto—who was looking at developing a lodge up on—I'm trying to remember the name of the lake. I call it the Cache, but that's only part of it. That's an interesting one. Everybody back home is going to say, "You don't remember the name of that lake." Anyway, up along the Cache—I'll remember the name of the lake later—he was trying to develop a lodge so that he would be able to attract people to do conferences in sort of a secluded setting and be able, at the same time, to attract families to come up and do their holidays up in the area by experiencing the fishing and the wilderness in the area around this particular lake.

One of the things that really frustrated that developer, Mr Santos—I don't know if you would have heard from him by now, because I can tell you, I heard from him on a regular basis in our term in government—was really the inability on the part of both levels of government, both the municipality and province, to be able to really set the rules that were needed for him to decide right at the beginning if that development should go forward, yes or no.

Part of the problem that we have, and I'm going to be very candid here, I think at the danger of annoying some of my own municipal council people in my own community, one of the things that I remarked that happened with that particular project, if we really want to talk about how we deal with the abuses of the OMB, was that there was a fight among cottagers on that particular lake about should that project go forward or should it not. There was an even split of people who had ears of municipal aldermen or council people within that council. So a number of fairly influential people in our community who owned cottages along that lake went to a number of our aldermen and said, "We don't want this thing going forward." At the same time they were being lobbied by Mr Santos, and the councillors said, "Jeez, we don't want to make the decision and be looked at as the bad guys," so they threw it off to the OMB.

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I think quite frankly that's part of the problem that we have at times, is that you say that you want to be able to give the tools to municipalities in order for them to do their jobs. I think the question becomes that we have to really figure out clearly what the lines of decision-making are between the province and the municipalities. I would agree with you, to a certain extent, that a number of things could probably be best dealt with within the municipal level, provided there were clear rules about



how we dealt with planning in the province of Ontario. That's what Bill 163 was all about. Because we said under 163 that the province, for the number of years, had been developing and come to the point of developing rules about how development should go forward.

There were some 600 pages that you talked about earlier in regard to policies about how development should go forward. I would admit that those 600 pages were not drafted golden text that was perfect, but I think it was the beginning of how we were able to give municipalities the tools that they needed to be able to take a look at: What do I do in this particular situation when somebody's applying to move a project forward? Does this meet the rules and the policies of where the province wants to go? How does this fit in with the municipality itself? In the end, they could be in a position to make a decision and, without having the OMB involved and the ministry involved, of determining if it falls within clear, established guidelines set out in legislation, regulation and policy.

Unfortunately, one of the things that you're doing in this legislation is you're doing away with the provision under 163 that said that developers had to be consistent with policies in regard to development. Now we're having to move over to a situation where you only have to have regard for it. I think the danger with that is—there are two points.

First of all, it goes contrary to what you're trying to say to municipalities, which is, "We want to give you the tools to be able to do your job so that you can be more responsible communities." I think this takes away from that, because clearly how can a municipality be expected to make a decision about planning if they don't know what the game plan is with the provincial government? If they're looking at the rules and they say, "You know, if I take a look over here, it says we shouldn't do X in a certain situation, but the rules say I don't have to follow that, I just have to have regard for it, while the municipality down the road has done it one way and a municipality down the other road has done it another way." It leads to all kinds of inconsistencies, I think, in regards to how individual municipalities will deal with the questions of planning, and that leads to a whole set of other problems that I'll talk about a little bit later.

But the point that I want to make to the minister is that if we're truly serious about giving municipalities the tools that they need, in the words of the minister himself, and about how they are given the tools that they need in order to make decisions about planning, you've got to give them the rules. How in heck are they supposed to decide how to make a decision if they're looking at rules that are inconsistently applied across the province? It's ludicrous. That's part of the problem of where you're going with this.

What 163 tried to deal with was to say to municipalities, "Here's what the province wants you to follow in regard to policies when it comes to development, and we want you to be consistent with these rules." The reason that we put "be consistent with" was not because of some namby-pamby, environmentalist kind of feeling that the government had; it had nothing to do with that. It had to

do with clearly the developer needs to know what the rules are. If the developer knows up front and the developer doesn't have to go to the OMB to figure out how to interpret those rules, the developer can go to the policies and say: "Here's how you deal with this particular situation. I've either got a project or I don't."

What I would have been more willing to participate in with the minister, and I would have applauded him—and if you do this, quite frankly I would have no problem standing up and saying, "I support the government 110% on this"—would be to go back and take a look at those policies and have some discussion, at a committee level—I don't know exactly how you would do that on a standing committee, but maybe on a select committee—about how we deal with those policies and make them work for both developers and municipalities and the stakeholders.

I think if we were to fix up some of the problems that you see with the policies, you would be able to leave 163 fairly well intact with a few minor adjustments and make it work well so that developers in the end know what the rules were, know what it is going into the situation. I think it would really make your bill do what you want it to do, which is to promote economic growth, because I agree that if I've got a million bucks to invest or \$10 million or \$100 million or whatever, I want to know what the bloody rules are before I go in. If I don't know what the rules are, I'm going to be somewhat leery of making that investment. I agree with that premise.

But I think Bill 20 is going to lead away from what your idea is, which is to promote economic growth. I think it'll leave it in the hands of municipalities to where I, as an investor who wants to develop a particular project in community X, Y or Z, is going to go down and say: "In Timmins they do it this way, so maybe I'll go and invest in Timmins, because Timmins wants to do it this particular way. Oh, but take a look down the road there in Sudbury. They're doing it a little bit different. They're not applying this rule the same way. Why is that?" Because they don't have to be consistent with the rules. They only have to have regard for them.

I think you're going to end up with—and this is the real danger—all kinds of appeals at the OMB because quite frankly the developer will have the right, and you know this, Minister, to appeal the decision of a municipality in regard to the policies of development. So if I'm a developer and I'm going to invest and I say, "I want to invest this in Timmins because it's a great place to do business and we just love that member for Cochrane South. We want to go spend our money there"—did I lose you on that one?

**Mrs Marion Boyd (London Centre):** Yes, I think so.

**Mr Bisson:** I think I lost them on that one. The point is that if they want to go and invest there and they see that Timmins is not treating them the same way, say, that Toronto or Sudbury is, they're going to say: "Hey, this ain't right. I'm taking the community of Timmins to the OMB." I think this is a real rats' nest waiting to happen. Quite frankly, it's part of the problem that we had—well, I see the minister is shaking his head in the negative, but I ask you to be fair-minded because when I got up

tonight, I thought to myself: "You know, I can get up and I can do an hour-and-a-half rant on this thing and try to grandstand, but I don't think in the end that would get us anywhere. What I'd rather do is to clearly lay out what some of my concerns are so they can be taken into consideration, because I think that's a real concern."

I've had the opportunity since Bill 20 was tabled in the House to speak to a number of developers, not only in my riding, but developers I had dealings with from across the province in our term in government. I just raised that question to them, and at first they went, "What are you really talking about?" I'd explain it to them. I'd say: "Let's say, you want to develop a hotel conference centre somewhere. One municipality treats you one way and the other municipality treats you the other way. What would you do if you really wanted to invest in a community and they didn't allow you to do it, but the community down the street did?" They said, "We'd take them to the OMB."

I think if we're serious about trying to do away with red tape, we need to have clear rules and clear policies about how we apply the system of development in this province. I just raise that because I think it is a real problem waiting to happen. We've got ourselves a bit of, as the old saying is, a basket of snakes and we don't know how many heads are in it and we're afraid to put our hands in it because we might get bitten.

I think that we'll stand in this House—at least, I hope that I'm lucky enough with the people of Cochrane South to stand in this House again five, six years from now—and we'll be able to look at how Bill 20 was applied to development, and I will bet you the number of appeals to the OMB will go up. You shake your head, but I really think that we have a bit of a problem.

I think the responsible thing to do and I think the fiscally prudent thing to do on the part of the government, because I know you have a lot of other horses to tackle, would have been to say, "Let's leave 163 in place for now." The bill only came into law in March 1995. All the appeals we're dealing with now at the OMB, which is a problem, are appeals that were launched under pre-163 development. We really haven't got to 163 development yet. I think it would have been a lot smarter and a lot better for developers and communities and stakeholders if we had said: "Let's allow 163 a little bit of time to work. Let's take a look at the experiences under 163. Let's see how it works out." Then if the minister wanted to come to the House next spring, which would have been a year later, or the fall, a year and a half after, in 1996, and say, "The NDP might have been going in the right direction, but I've got some problems with their bill and I want to make amendments to Bill 163, and I call it Bill whatever," I could have accepted that.

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But the problem is that I see the government coming in and depositing Bill 20 into the House and tabling it with the table clerks at the beginning of September, October some time, even before they've had the opportunity, and I think the advantage, of looking at how Bill 163 works.

I know the clerks are really interested because they're looking at me at this point to the affirmative. You are, Deborah; I can see you.

What happens is that you've got the bill coming here early, before 163 ever had a chance to start, and you ask, what is this really all about? It brings me back to the first point, which is that this government is intent on giving developers the upper hand, as simple as that, because they truly believe environmental concerns are a nuisance to development.

The Minister of Municipal Affairs in his speech to the Canadian Bar Association said something that I thought was most telling. I'm going to paraphrase because I can't find the quote in my notes quickly enough. He said he sees environmental issues being a detriment to development. Why would the Minister of Municipal Affairs go to the Canadian Bar Association, at a public gathering, and say something like that, then all of a sudden, less than a month later, come into the House with Bill 20 and call it an act to promote economic growth and protect the environment? There's a bit of a contradiction in terms.

The minister in his statements to the Canadian Bar Association said, "I agree with developers." Not all developers are irresponsible, because there are some good ones out there, and a few of them are my friends. My good friend Lionel Bonhomme is a developer, and he's been most responsive and responsible, along with many others. But there are some devious ones. I don't think the devious ones are in the majority, but in those cases where you have bad developers, they end up giving the good ones a bad name. But they've really got the ear of this minister and of this government, and he's allowing himself to be hoodwinked into making changes to Bill 163 that are really not warranted and in the end will buy us a lot of trouble.

The minister chose an interesting title for the bill: An act to promote economic growth and protect the environment by streamlining the land use planning and development system through amendments related to planning...blah, blah, blah, blah. The point is that it's a bit of a contradiction. He says he wants to promote economic growth and protect the environment. Yes, he's promoting economic growth, no question about that. There will probably be more development, given this act, because it'll give sweeping powers to developers to develop in areas where they would not be allowed to under Bill 163.

But "to protect the environment" I think is a gross misrepresentation of the intent of this bill. I go back to the point that the bill says you shall "have regard" for the policies of the government of Ontario and you shall not be "consistent with" them.

You've really got to ask yourself the question. The ministries across this government have, over the past number of governments going back to the time of Mr Frost and even before, developed policies based on experiences we've had in the province of Ontario. Why? Because when you have environmental disasters, you want to learn from them and make darn sure you don't allow something like that to happen again, so you develop a policy so you prevent environmental disasters from happening.



I'll give you an example, one that's quite close to home for me. My own father owns a building in Timmins that used to have a gas station next to it. At the time the gas station was put in and for the years it was there, it was allowed to put in—I forget—I think it was 15,000 or 20,000 gallons of gas on a corner lot the size of a postage stamp. That was seen as good development back in the good old days of the 1960s and 1970s when the economy was just rolling along. That was seen as being good for business, and I guess under Bill 20 that would also be seen as good business.

But with time, metal rots, and the gas started to leak out of the tanks. The gas went under the entire weepage system of the house and the business in the front part of that house, and basically the building was condemned and shut down by the fire marshal's office. Why? Because the gas was allowed to leak from a postage-stamp-sized lot underneath the building to the point that the gas was contaminating the entire building. It took a court case that went on for five years. I would say millions of dollars were spent by the participants in that lawsuit—the crown, my father and the defendants in that case—all because we allowed bad planning to happen a long time ago.

To come back to the point of making policies, the government of Ontario made a policy decision around cases such as that. They said we need to have a policy that deals with how we allow gas stations to be developed in the province, how we provide for safe and adequate storage of gas so it doesn't escape on to other people's property and cause environmental damage. We learned through experiences such as my father's and others. There was another case in Kirkland Lake, not too far away, and another one in Ottawa that I'm aware of where similar kinds of things happened, and it ended up costing the province, our courts, our municipalities, our health care system, millions and millions of dollars because we allowed bad planning to happen.

So the government set policy. In this case, the Ministry of Consumer and Commercial Relations along with the Ministry of the Environment put together some rules about how you're going to store away gasoline in a gas station. We did not want to repeat the mistakes of the past.

There are all kinds of examples: the Hagersville tire fire, where millions of taxpayers' dollars were spent, first of all in fighting the blaze. My God, they were flying water bombers from northern Ontario down to Hagersville trying to put the fire out, all because we allowed somebody to set up a holding system of tires in the middle of an area that was fairly well developed and fairly well populated but we had no system to control how those tires were stored.

After spending millions of dollars trying to get the fire out and then cleaning it up and then subsequently the court time in people going to court to litigate that whole issue, the government of Ontario, under Jim Bradley, who was the Minister of the Environment at the time, passed a law. They made amendments to Bill 128 or 168—I forget the bill number—which said, "That kind of stuff can't happen and we will set some rules so we don't have that happen again." That's where all these policies come from.

The government of Ontario today, under Mike Harris and Mr Leach, who say they want to promote economic growth and protect environment and good planning, say we will only have to have regard for the rules, but we won't have to enforce them. What kind of sense does that make? It seems to me that it is part of the evolution of growing up as an individual or as a society that you learn from past mistakes. That is why we set rules and that's why we set policies, because if we repeat the mistake, we'll only end up having to pay the same way we did the first time.

That is why under Bill 163, we as a government said, we're not going to "have regard to" those rules; we're going to enforce them and the municipalities will have to enforce them because we have to ensure that we learn from our past mistakes. At the end of the day, when something happens and there is a rule written, some municipal planner in the city of Timmins or Sudbury or Thunder Bay or wherever it might be can pick up the book and say, "This is the provincial policy when it comes to how I allow a gas station to be developed on a corner lot somewhere in downtown Timmins."

The municipal planner or the building inspector takes a look, as the person comes in for the permit. They pick up the rules and say: "The government has a policy here that says such-and-such rules apply to how a gas station is going to be developed on a corner lot in Timmins. It doesn't allow you to do this, Mr Developer"—or Mr Entrepreneur in this case—"so no, you can't build your gas station, because the lot you have will not adequately serve the policies of the province of Ontario."

Is that bad? I don't think that's bad; I think that's good. Residents of that community need to know that there are policies and that there is somebody out there looking out for their interests. That is why you don't only have to have regard to those rules but have to make sure you're consistent with them. That's what that's all about.

When I hear the Conservative members across the way saying they want to rule with common sense, what's commonsensical about not following the rules? It's like saying we're going to allow people to get on the highway and drive whatever speed they want, because they don't have to be consistent with the speed limits of the highways of the province of Ontario.

**Mrs Boyd:** They already did that.

**Mr Bisson:** Well, they've done it by taking away photo radar, but that's another argument.

The point is that you're saying to people, "You don't have to be consistent with the rules of the province because we say you only have to have regard to them." There's nothing commonsensical about that. It leads to a lot of problems down the way and puts the security of our communities at risk. That's a real danger.

**2210**

The other thing I want to touch on very quickly is the whole question of urban sprawl. One of the things the minister talks about in the title of the act is "to promote economic growth." I think that speaks directly to the question of urban sprawl. I would like to share with the minister—he's here again listening to the debate, and I

appreciate that. I always commend a minister for taking the time to listen. For that much, we thank you. I remind you that you have a meeting tomorrow afternoon with the people at Regent Park, and that's to happen at Regent Park.

**Hon Mr Leach:** Two meetings.

**Mr Bisson:** I hope the one with St James Town too, because I know the people at St James Town—

**Hon Mr Leach:** Two meetings, one in the morning and one in the afternoon.

**Mr Bisson:** Good stuff. I hope you follow up on those meetings, as the people of St James Town last night did want to meet with you and talk about housing policies, but that's for another day.

I just want to talk a bit about urban sprawl and share with you some thoughts written in articles lately. Here's a quote from a Toronto Star article, I think, where one of their writers, well known for looking at the whole question of development, writes:

"Policy rewrites also should be transparent and subject to province-wide public debate on such questions as whether we really want to encourage rather than curb urban sprawl."

What he's getting at is that you have to have clear rules that everybody can understand going into the game that let people know—the farmers, the developers, the municipal planners etc—how you're going to allow development to go forward or not let it go forward. I think that's what the person's trying to get at.

There's another article here somewhere, a comment your own Premier made during the election when he said it wasn't such a good idea to—I'll paraphrase rather than looking for the document. I remember watching a clip after the election, because I tend to tape all that stuff and look at it after the fact; it's a lot more amusing after the election to look at all that. The Premier had said during the campaign, in a debate on CITY-TV, that he really didn't believe urban intensification was a good idea, that in the long run, if you allow that to happen, it is going to cost the municipality and the ratepayers a heck of a lot more money if you don't have some sanity to the planning process that curbs urban sprawl.

It's not very often, but on this one I agree with Mike Harris. I think he's right. I hope you're listening to him, Minister Leach. I hope you're listening to the very wise words of the Premier on CITY-TV sometime in May, during the election.

That's really the whole issue. If we plan properly up front and say where we are going to allow development to happen, residential and light commercial or industrial or retail, we're able to better figure out where it is that we have to develop the services needed to maintain that community, and that's everything from the hard services all the way to the soft services. If we can do that properly at the front end, we're able to make a lot more sense about how we develop our communities so they make economic sense in the end.

An interesting study appeared on that whole question. A Dr Blais wrote a report in regard to this issue and talked about the whole question of urban sprawl. I want

to raise with you just what it means to the GTA. The report said, "Continuous sprawl will require a capital investment of \$82.5 billion by the year 2021. The figure is dominated by the unavoidable cost of roads, sewers, pipes, parks and schools. On the other hand, a more compact form of development capable of accommodating the same population will cost \$69 billion by the same date."

What he's saying is that if we were to take a look at how we approach development, we can save the taxpayers of the province of Ontario, over a period of some 20 or 30 years, almost a billion dollars a year. That's just by saying, "Let's sanely sit down and take a look at how planning needs to be done." If you don't do it up front, you're only going to pay for it in the long run. I think we can all look in our own ridings, in our own municipalities, to see where that has happened. There are all kinds of examples.

Dr Blais reports: "The operating and maintenance costs of sprawl, based on hard services, will amount to \$25 billion by the year 2021. More compact development will generate an equivalent cost of \$18 billion.

"A conservative estimate"—not Conservative, just conservative in philosophy—"suggests that about \$0.8 billion to \$1 billion per year in capital operating and maintenance costs could be saved by altering the urban development patterns in the GTA. These estimates should be more than enough to attract the attention of the Premier, who has declared that this province is bankrupt."

That brings us to the point. We hear minister after minister stand in the House and talk about how this province is in crisis and the deficit is just driving us down and scaring business away and it's just a terrible thing. It seems to me that what we've got to do, if we're really serious about dealing with the deficit, is to take a look at those structural things, not only within Municipal Affairs but throughout the entire government, how we structure our programs, how we deal with planning, so that in the longer run we're able to make the structural changes that need to be done to save money.

Let me give you an example, and I'll just divert for two seconds, if you'll be patient, Mr Speaker. Look at the system of health care. We spend more than a third of our entire expenditures in this province on the system of health care. If we look at just one sector, the hospital sector, that hospital sector was set up back in the 1960s, in the days when hospitals were needed at almost every street corner; every community had to have one. What we've allowed to happen over a period of 20 or 30 years is to say that those hospitals should be maintained at all costs and the services they provide must also remain intact.

I'm afraid to say this the way I am, because I think the Tories might just salivate and say, "Jeez, he's agreeing with us." But the point I'm trying to make is that we have not allowed for long-term planning in the health care system and in the hospital sector to take advantage of the changes in technologies, both with how we deliver health care from a technical standpoint and from an administrative standpoint.

It seems to me that if we're serious about curbing the deficit and going in the right direction so we balance our



budget over the shorter or longer term, we don't make a humongous change right at the beginning and say, "Chop, chop, chop, the problem's fixed." That ain't going to fix nothing. I would argue that the cuts being done now are going to lead us to problems down the road that will probably increase our deficit in the longer term.

If the principles of Bill 163 under the Municipal Planning Act were applied to how we deal with our health care system, for example, I think we would be able to take a look at all the issues up front and determine: How do we need to provide health care in northeastern Ontario or in the Cochrane district? Where do we truly need to have emergency wards to serve the people of Ontario? Where do we need first aid stations instead of emergency wards, where we may not have medical coverage now? What health practitioners are best able to deal with the needs and wants of the community when it comes to health care? Should we be using midwives to deliver babies in most cases? Should we be using orthopaedics to set broken limbs and legs when it used to be done by John Smith, the local practitioner, 20 years ago?

If you look at all that kind of stuff, that's where you save your bucks in the longer run. I think that's the approach we have to take in planning. I know that's a bit of a leap of faith, but the point I'm trying to make is that if you don't look at planning up front in terms of what it means over the longer term, you might get the short-term savings up front in saving the developer a few bucks by doing away with some of what they consider the thorns of having to go through a good planning process, and you might even get the economic stimulus right at the beginning where the person wants to come in and invest, but in the longer run it costs your community and it costs the province a heck of a lot of money.

To do good planning what we need to do is look at those issues up front that are important to the community and important to the developer and you learn how to balance all that out. That's what I would say on that.

On the question of urban sprawl, I really believe that where the government is going with Bill 20 is to allow urban sprawl to continue and actually precipitate itself from what it is now. I would say that would be a lot more expensive in the long run.

The other thing I would like to get on to is the question of the Development Charges Act. Should I go into that right away? I think I'm going raise the irk of a few members on the other side. What the heck, let's wake them up.

The Development Charges Act is one place where I really part company with the minister. I can support some of the ideas he's trying to get under Bill 20. I still maintain that we should have allowed Bill 163 to work, and it should have stayed "be consistent with" provincial policies. Anyway, where I really have a big problem is under the Development Charges Act, because what you've got here is a demonstration of where this government is at.

2220

At every opportunity, this government has really let it be known where their friends are. There's no question about that. The first thing this government did upon coming to power was to deal with how you take away

services and benefits from the people in our society who most need them. I don't need to go through and explain what all those were, because I think we know. We saw the reductions to social services. We see user fees on both the health care system and on prescription drugs. There are all kinds of examples.

The point is that the government is quite good at figuring out how to target that sector of our society and saying, "If you're poor, if you're disabled, if you're sick, if you're a senior, you'll be treated one way." But when it comes to the other side of the coin, those people in our society who are most able to take care of themselves, the government has been seen to be a lot more lenient, and I would say quite generous, in how they deal with that sector.

We've seen today one bill in the House where we've taken away the filing fee for corporations, the minimal \$50 they have to pay to register themselves as a corporation in the province of Ontario—done with. They get a cut, they get a savings.

With the tax cut of some \$5 billion that we're going to be seeing passed on to taxpayers, by and large the biggest beneficiaries of that will be people with incomes over \$60,000 to \$70,000. I think it demonstrates that this government is really interested in giving a hand up to those people who least need it and putting a hand down on those people who need the help of government the most.

The Development Charges Act points to that again. The government is saying they want to move to a system where developers only have to pay for the cost of developing what are called "hard services" in municipal jargon. What that means is simply that the developer, in bringing forward land to development, will only have to pay in development charges to the municipality what's necessary to put the hard services in place—sewers, roads, sidewalks, street lights, those kinds of things—if charges are applicable.

But on soft services, the question that if you do a development in a particular area it will overcapacitate a school, there's no accounting for this under the Development Charges Act that's talked about in this bill and that'll be coming. The developer won't have to pay any of that. If, for example, the development is happening in an area where there is an existing community park and possibly a community centre or a skating arena or a swimming pool or whatever, there is no accounting for the increased pressure that'll be put on those services by the new residents coming into that community. There's no accounting for that in the Development Charges Act.

"We want to separate out," says the government of Ontario, the Mike Harris government, that the developer will only have to pass on to the person who buys the lot and eventually gets the house built that money necessary to support the development of hard services. The problem is that it's really unfair for everybody else who's in the bloody area. What that does to me as a ratepayer in the city of Timmins or wherever it might be is that I'm going to have to subsidize the developer and the person who wants that house built, the person who's going to hold the mortgage, the cost of developing their lots so they can use my services that I've paid for.

I would think that in a Mike Harris Ontario, one of common sense, we would say we need to balance off. If we're going to build this huge subdivision next to the existing soft services—schools, parks, arenas, libraries etc—we have to make sure that when these lots come into development and the buildings are built, the cost of maintaining and building those particular services are accounted for in the development charges so we don't have to pass on that added cost to the rest of the ratepayers within the community. That points to where this government is at.

I admit that the Development Charges Act will make it a lot more attractive for the developer to offer a piece of property for development to a particular buyer. I was reading an article recently in one of the trade publications that the development charges in, I think it was one of the cities around Ottawa, are somewhere around \$20,000 or \$22,000 per lot, but that's taking into account the soft and hard services charged for that development. If you were to take away the cost of development charges for soft services passed on to the buyer of the home, it could be down to somewhere around \$8,000 to \$10,000.

The homeowner who's buying and the developer say: "That's a saving for me. I'm all right, Jack. That's great." But stop and think about it. It's all the neighbours who are paying for it. That means my tax dollars are going to subsidize the development of that piece of land. Is that fair? I don't think it is.

I think how the government is dealing with all of this is in keeping with what they're all about. The government is demonstrating quite well that they really want to carry out their promise of giving people a hand up. The only problem is, they've got it backwards. They're going to give a hand up to those people who need it the most and they're going to put the hand down on those people who can least afford it and push them back into the ground.

I say to the minister that is something we'll deal with a little bit later when you bring forward the Development Charges Act, but there will be some difficulty when you bring this legislation forward. A number of people and municipalities that I've been speaking to across the province do have a problem with the idea as you've presented it. I wouldn't say they're unanimously opposed—that would not be fair and I don't think it would be truthful in saying that—but there is a big problem.

The other thing is that allowing that to happen adds to what you can call the environmental deficit, that if you allow development to go forward unchecked, there's an environmental cost in the long run. This bill's whole approach really plays on that.

Before I get into the apartment and houses section of the act and the Ontario Heritage Act, there are a couple of other areas that also speak to the government's willingness to diminish the rights of people in a democracy. You saw in this House, Mr Speaker, when you were here last week, that members of the opposition vociferously had to take on the government to force public hearings on Bill 26, which deals with all kinds of areas around the Ministry of Municipal Affairs and others in regard to how it takes away the rights of individuals.

We're seeing in this act again some of that same approach we find under Bill 26. I'm not suggesting that we as opposition members will engage in those kinds of tactics for what's here, because I would agree it's not as severe as what we find in 26. But there are some things here in Bill 20 that are quite troubling.

One is that presently in Ontario, if you own agricultural land and you want to sever that land, there's a rule that says you can only sever it once. There are good reasons for that. But the rules also say—

Good day, Mr Speaker, the Mr Speaker who's just walking in. The changing of the guard is happening here. I'm doing a play-by-play for people.

One thing that happens in regard to land severances today is that if you're living on a rural concession road and the neighbour down the street who owns, let's say, 100 acres of land and wants to sever off a piece of property on the corner closest to you and allow a five-acre severance to be taken off to allow somebody to make some kind of development, a house or whatever kind of construction would go on there, there needs to be a public meeting posted so that all the residents in the area are able to go and comment on that land severance.

One of the things the government is doing is taking away the requirement to do a public notice when it comes to land severances. That's not a major move away from democracy, and I don't want to paint it that way, but that's quite troubling. If I'm living on rural route 4 somewhere and the neighbour down the street is going to sever off a piece of land that's right on the corner of my property and something's going to be constructed there that I don't really approve of, I would at least want to have the opportunity to have my comments heard so they can be taken into account by the developer and the planners and the municipality, so I am looked at as a real human being who has some actual concerns about that development and it allows the municipal officials and the process to deal with whether my objection is frivolous or not.

2230

Quite frankly, one of the tenets of our democracy is to say we in a democratic society have to allow people to be able to come forward and to express themselves freely without any kind of restriction when it comes to how they feel their government or the citizens around them are dealing with their rights or dealing with how they work their way into our society. I think the government, in doing this—and if you take a look at Bill 26, there are all kinds of examples that are far more serious than this one, but I would only make the point that in Bill 20 we have yet another example of how this government is taking away the ability of people to express themselves through the democratic process.

I know if the minister were given the opportunity to pop up in his place now, he would say, "Well, you know, we want to do away with all of those people who get up and just hold up development for no good reason, because if you pop up those meetings and you allow those people to come, all kinds of people are going to go there and say all kinds of nasty things and just slow down the process."



I say what I said under Bill 26. Democracy does have a price, and you can't put a price tag on that. That's the fundamental tenet of what this society is all about. If it means to say that I as a person who wants to sever off the land am going to be inconvenienced by two or three or four weeks in doing that severance, I think that's part of the price and part of the cost of what a democracy is all about. It's not unreasonable to allow people the opportunity to go meet with their neighbours and to take a look and be notified about what the severance is all about. If I have an objection, I should be allowed to raise that objection and let people know.

What it's going to do in addition is it's going to limit my ability to go to the OMB on those severances, because how am I going to be able to, if I have an objection, get to the OMB if I don't even hear about it? It is troublesome in the least.

The other one is the whole question that there is a removal—and again there are two sides to this story and again I want to be fair to the minister. On minor variances, we're not going to allow people to appeal to the OMB. I guess the argument could be made by some municipalities and by the minister or the Ministry of Municipal Affairs that minor variances are quite frankly not that troublesome, and why should we allow people to take up time of the OMB in being able to bring that forward to a hearing? After all, the OMB process does cost the taxpayers money and we shouldn't allow people to get in there with frivolous or vexatious kinds of appeals.

I think it comes back again to what we talked about in Bill 26. You look at one section of Bill 26; I think it's a section under the freedom of information act that is being amended under Bill 26, and I do hope I got the title right. It talks about how people are going to be prevented from being able to obtain information from the municipal governments or provincial governments if the municipality or the province feels that the person who is trying to get the information is acting in a way that is vexatious.

Again we come back to that same theme in this act. The whole idea is that they're saying, by not allowing minor variances to go forward to the OMB and allowing people the right to appeal, that somehow the person who is appealing a minor variance is being vexatious.

Let me give you an example just to put this in terms that people can understand who are watching back home. Let's say that you live at 246 Middleton, where I live, in the community of Timmins, and your neighbour next door decides that he wants to build a carport or he wants to build a garage in his backyard or whatever it might be that's an addition to his property.

As it stands now, the person goes and tries to get a permit at the city building department. If there is a reason why the person is not able to get it because they are going to be building over a certain percentage of the property—different municipalities have different rules, but let's say you're only allowed to build on 40% of your lot, and building that carport or building that garage or whatever it might be would bring your total building on the lot up to 50%—you would have to go to the committee of adjustment to be able to do that.

Presently, I have the right to object to that. If I feel the person next door who's trying to do that extra construction on his lot is going to interfere with my property and how I interface with the property itself, I have the right to, first of all, go to the committee of adjustment. If I'm unsatisfied with what the committee of adjustment has decided, I have the right to go to the OMB.

I think if you look at the history in a fair manner, there have been very few cases before the OMB that have been frivolous when it comes to those issues. I can tell you that in the five years that I've been the member for Cochrane South, and my involvement in the municipality before that, I can count on a hand, and less than a hand, quite frankly, the amount of people who have gone forward. I look at my friend Mr Crozier here and I would look for a nod of approval on that one. There are not a lot of people who go to the OMB on questions of minor variances. I don't think it's been a very big problem.

So if it's not a problem, why are we taking it out of the act? I think it speaks back to what the whole issue is about this government, which is that they really believe in their hearts and souls that they know what's best and they have to allow development and they have to allow economic growth to happen at any cost. If it happens to get in the way of democracy, so be it. Get rid of the democracy.

I just say to the government, that is, I think, the part that I'm really having the biggest difficulty with in adjusting to you as a government on the other side of the House. I accept that you won an election. I accept that you're going to make changes to the laws of Ontario. I accept that you're going to make Ontario look more in the vision of what you believe in as a party. I may not like it, but I accept it. But where I really take exception and where I really part company with you is the whole idea of what this government is doing, to say: "We know best. Don't challenge us, and if you do, you ain't going to have the law to do it on your side any more because we're taking those laws away and we're going to do away with your democratic rights."

So I say taking away minor variances is really a silly, silly move on the part of the government because I think in the end it will buy you more problems in political capital than you'll ever get in regards to getting developers onside with you, because it is really a very dangerous precedent to be setting.

The other thing I want to say, and I want to come to a point, in regards to the act is I think the one that troubles me the most. I see my colleague from Sudbury East is here, the former Minister of Northern Development and Mines. She would understand and I think sympathize with what I'm about to say here. One of the changes in the act says the Ministry of Municipal Affairs will now be the only ministry that can appeal to the OMB a decision of planning.

I can tell you that is troubling to the nth degree because there are all kinds of experts who work across the ministries of the province of Ontario, be it the Ministry of Municipal Affairs or the Ministry of Northern Development and Mines, the Ministry of Environment and Energy, the Ministry of Natural Resources, who are

there looking out for the interests of the people of Ontario. If we're saying to this province and we're saying to those people that the only ones who can go forward and appeal to the OMB—I guess we're turning our backs on the history of this province in regards to how we've developed our system of government over the past number of years, because the one thing that we've tried to do as governments, all of us, be it Conservative, Liberal or New Democrat, is to learn from our mistakes, and we've all said in cases where there has been bad planning and bad decisions or in places where there have been environmental consequences to whatever has happened in regards to development, we need to learn from that and then we need to make sure we set policies in place that are consistent with good planning.

If you allow only the Ministry of Municipal Affairs to be able to comment on it, I'm afraid what will happen is that in those cases where development goes forward, where let's say the Ministry of Northern Development and Mines—good friends of mine that they are—have an actual concern that is legitimate and deep-rooted within a certain logic, if the Minister of Northern Development and Mines doesn't have the clout at the cabinet table that the Minister of Municipal Affairs has, guess who's going to win? That's how the process works.

So it's really going to put us in a bit of a difficult spot. In order to allow for sound planning, we will have to make sure that we put on the résumé of whoever's put into the cabinet as the Minister of Municipal Affairs, "Be the expert on almost everything," because in the end he or she will be the only minister who will have the final say about what development will go forward. Yes, the minister will be able to hear the arguments at the cabinet table and at the ante-rooms of government in regards to concerns that his colleagues may have on other issues around MNR or MOE, but in the end who's going to make the decision? C'est le ministre.

J'aimerais dire que je ne pense pas que ce soit vraiment la manière de procéder avec un système qui a du bon sens quand on alloue au ministre tellement de pouvoirs pour prendre des décisions sur la question de planification des municipalités. Je pense qu'on doit comprendre qu'on a besoin d'apprendre de nos erreurs du passé, qu'on a besoin de dire franchement, qu'on a besoin de regarder les exemples qui sont arrivés dans le passé, de mettre ça dans les politiques du gouvernement, de mettre ça dans les politiques de chacun des ministères, et qu'à la fin de la journée, que toutes ces histoires-là et l'historique soient mis en contexte quand ça en vient aux décisions.

Si on n'alloue pas aux ministères le pouvoir de faire appel à la décision du ministre des Affaires municipales, je pense franchement qu'on est en train de demander des problèmes très, très sérieux.

2240

Ça m'amène à mon prochain point, qui est la question des appartements dans les maisons, les domiciles des individus. Une des affaires que notre gouvernement a fait avec une certaine fierté c'est qu'on a finalement essayé de mettre au quart du temps toute la question des appartements au domicile des résidents. Ce qu'on a eu dans le

passé c'était une situation où les municipalités et les individus à travers la province avaient chacun des règlements différents quand ça en vient au développement des appartements dans les maisons dans les municipalités.

Si on demeurait dans la ville de Timmins, c'était possible qu'on alloue à M. Tanguay, qui reste à tel et tel coin, la chance de bâtir un appartement dans son sous-sol et de louer ça à quelqu'un pour faire un peu d'argent pour payer son hypothèque sur sa maison.

Mais on a une autre situation dans la ville d'Ottawa, possiblement, où on n'avait pas cette pratique-là parce qu'on pensait que ce n'était pas une bonne idée. Ce qu'on a fait dans la province de l'Ontario avec le gouvernement de Bob Rae et avec ma collègue M<sup>me</sup> Gigantes, qui était la ministre du Logement dans le temps, on a regardé cette question-là et on a dit, «On a besoin d'une politique uniforme à travers la province pour que chacun des citoyens et chacune des citoyennes soit traité également quand ça en vient à la loi de développement des appartements dans les maisons.»

La Loi 120 a mis en place des règlements qui disent que les municipalités n'ont pas le droit de dire non à M. et M<sup>me</sup> Tremblay qui veulent développer un appartement dans leur maison. Parce que quoi qu'il arrive, c'est encore et toujours l'histoire que la roue qui fait le plus de bruit, c'est celle sur laquelle on met de l'huile, n'est-ce pas ? La manière que ça a marché dans le passé et que ça marche encore aujourd'hui c'est tel quel.

On va dire que moi, je suis la personne qui a acheté une maison dans une subdivision quelque part dans une communauté, disons, la ville de Timmins — c'est dans une subdivision qui est assez bien en affaires ; ce sont des maisons de 200 000 \$, 220 000 \$ ; ce sont tous des docteurs, des maîtresses et du monde avec beaucoup d'argent — et que moi, petit mineur de la mine McIntyre, je me sauve un peu d'argent et je décide que je veux aller me bâtir une maison dans ce coin-là.

Je bâtis ma maison et je dis : «Pour être capable de la payer, j'aurai vraiment besoin d'un peu d'argent d'extra. Ce que je vais faire, je vais bâtir ma maison et je vais mettre un appartement dans mon sous-sol ou je vais mettre un appartement en haut de la maison, et le locataire va me payer 500 \$, 600 \$, 700 \$, 800 \$ par mois et ça va m'aider à payer mon hypothèque. De cette manière, je pourrai me sauver un peu d'argent dans le futur pour me préparer pour ma retraite.»

Les municipalités, dans beaucoup de cas, elles disaient non. Pourquoi ? C'est bien simple. Parce que les personnes qui restent dans ces communautés-là, dans ces banlieues-là, elles ont dit : «Non, non, non. Je ne veux pas avoir des locataires sur le bien-être social rester chez nous, dans mon quartier. Voyons, je suis médecin, je suis avocat, je suis conseiller de la municipalité, je ne veux pas avoir ces personnes-là venir rester chez nous. Imagine-toi, ils vont venir et ils vont avoir des chiens, des chats, des petits enfants, et ça va être trop de trouble. Ça va être tous du monde sur le bien-être social à boire du Coke, de la bière, et à manger des chips.»

Ils allaient voir leur conseiller municipal et ils disaient, «Je ne veux pas que tu alloues à cette personne-là le droit de bâtir un appartement dans son sous-sol.» C'est qui



qu'il écoutait ? Est-ce que c'était le petit mineur qui essayait de bâtir sa maison et son rêve pour le futur ? Ben non, il n'a pas de voix, ce gars-là. C'est un petit mineur de la mine McIntyre, un homme très important dans l'économie locale, un homme qui a travaillé très fort et qui travaille très fort pour son employeur, une personne avec un respect et une humilité très digne pour la société, le père de famille. Il n'a pas de voix avec le conseil municipal. «C'est qui ce gars-là ?» C'est M. Tremblay, mais parce que les voisins dans le quartier, c'est du monde qui sont mieux en affaires, ils ont l'oreille du conseil municipal.

C'est pour ça qu'on n'a pas permis les appartements à être bâtis dans beaucoup de cas dans ces municipalités-là et que nous, on a dit, comme gouvernement néo-démocrate : «Écoute, on a besoin de règles qui sont égales à travers la province qui traitent tout le monde de la même façon, qu'on n'ait pas une situation qui dit que parce que ton nom c'est M. Jones et que M. Jones a plus de poids dans la municipalité que M. Tremblay, on va écouter M. Jones.» On a dit : «Non, ce n'est pas vrai, ce n'est pas bon. Ce n'est pas ça sur quoi une démocratie est basée.»

Alors, on a dit que c'est important qu'on développe un système où les lois sont égales pour tout le monde et on a mis en place la Loi 120, qui dit que les municipalités ne peuvent pas dire non à M. Tremblay, que l'on l'alloue.

Le problème avec tout ça, ce sont deux points : premièrement, on va retourner au système où ceux qui ont l'oreille du conseiller vont avoir le pouvoir de dire non parce que ce sont eux qui ont l'oreille du conseiller. L'autre affaire que je trouve vraiment un peu drôle, c'est que le gouvernement conservateur, qui est supposé être celui qui protège l'intérêt de notre économie et celui qui veut pousser l'économie en avant et allouer toute cette construction-là, dit non au secteur où il y aurait le plus de constructions dans le secteur de l'industrie de la construction dans notre province.

Je vous dis par exemple que j'ai rencontré ce matin des personnes de l'Association de construction de l'Ontario. Ils m'ont montré — je ne l'ai pas avec moi — un document qui démontre la construction de tous les contractuels qui sont avec eux autres depuis les derniers trois ans et le secteur dans lequel a été faite la plupart de la construction, dans le secteur du logement, dans les derniers deux ou trois ans. On ne parle pas des usines, parce qu'on sait bien qu'au gouvernement de M. Rae, avec l'aide de M. Hampton et de M<sup>me</sup> Martel et autres, on a eu de la construction très, très majeure dans l'industrie forestière avec des nouveaux plans de bois — des milliards et des milliards de dollars — mais on parle ici seulement du secteur du logement, des appartements. La seule place où il y a eu une croissance d'appartements, c'est dans le secteur d'«apartments and houses» que l'on appelle en anglais.

Le gouvernement dit qu'il va non-allouer ça pour aller de l'avant et qu'il va ôter le droit des personnes de construire ces unités-là. Je dis au gouvernement que je pense que c'est vraiment un peu stupide.

Je pense franchement que si M. Leach, le ministre des Affaires municipales et du Logement, est sérieux d'al-

louer le développement et d'aller de l'avant, il regarderait cette provision de la loi et dirait, «Franchement, si je suis sérieux» — comme il le dit dans ses propres mots, il va développer 20 000 unités d'appartements dans la province de l'Ontario par le secteur privé dans les prochains quatre ans. Il ferait bien mieux de se dépêcher et de remettre cette loi en place. C'est la seule manière dont ça va arriver. On sait que la politique du gouvernement est d'ôter le contrôle sur les loyers, et vendre au secteur public les logements va nuire, je pense, au développement complet quand ça vient à être capable de développer des appartements dans la province.

On the question of apartments in houses, I would just say I find it quite ironic, because on the one hand the government is saying, "We are going to allow 20,000 apartment units to be developed in the province of Ontario by freeing up the market and freeing up the developers to do so," yet they are taking away one of the areas of growth that quite frankly a lot of contractors have had to rely on.

I had an opportunity I think about a week or two ago where my friend Reg Magnay up at Feldman Timber and I were talking about how the construction business was this year, as he is a supplier of construction materials. One thing he said to me was: "Gilles, you know, the only thing that's really going on in construction today is people who are either doing renovations in their homes or people who are building apartments in their basements. That's the biggest part of where we're getting our business from now. It's not from new construction and new apartments."

I would say if you want those 20,000 units to go forward, it's not the sole way of doing it, through apartments in houses, but I certainly think that's one of the areas you can leave alone for now in order to allow people the opportunity to develop those apartment units so that people will have them at their disposal as far as tenants, but more importantly, so that mortgage holders have an opportunity to pay down their mortgages by being able to have renters in their buildings, if they so choose. So I would say that's a bit of a thing.

The other thing I'd like to comment on in the time that I have left is the question of the Ontario Heritage Act. This is one part of the act that we really haven't talked about. There hasn't been any debate on the heritage act and it's been quite quiet, as far as debate, in the public media. I just want to get on the record yet again that I think we have here what could be termed as a pretty troublesome area of the bill; I wouldn't say a major one, but it's a pretty troublesome area. There are a couple of things in the bill that I think are fairly significant that need to be mentioned.

The first one is the amendment to section 67 of the heritage act, which will say, "We will no longer need to give notice of three consecutive weeks when work is being done that's termed to be in conflict with the heritage act." That's to say, in plain terms, if there's going to be a development that's going to deal with the natural heritage of our area, if a development of some type is going to change the geographic makeup of an area that's considered to be under the protection of the

heritage act, presently the way it works is that you have to give notice of three consecutive weeks through the media in order to let the public know what's going on so they can have time to come forward to hear what the proposals are, to study what's going to be done and then decide if this is something that they're in agreement or disagreement with.

2250

Again, this is very much in keeping with what the government is doing. In doing away with the public notification requirements of the act, what you're doing is taking away the ability of people to exercise their democratic rights. How am I going to be able to exercise my democratic rights if I don't know until after the fact that something has gone on? In the 1990s, at a time where I think our society has come to terms with the question of the environment in so far as we understand that the environment is something that we need to work at diligently in order to be able to protect the fine balance that exists within nature in regard to how the environment needs to be treated, we need to make sure that people are as aware as humanly possible when it comes to questions that'll affect the environment.

One of the things the heritage act now provides for is that if a developer is going to do something that is considered to be in conflict with what the idea of the heritage act is, the public has to be notified, and there's a public process which we go through to let people know that this work will be going on. In doing away with the notification period under the heritage act, we're going to allow development to go forward without anybody really knowing about what happens until it's too late.

The other thing that goes on too is, there is a section in the act I'd really like to hear the minister's comment on, because I think it's an interesting one. Under section 48 of the act there is a provision that the minister needs to contact the Ontario Heritage Foundation whenever archaeological digs are going on. I guess the idea is that the Ontario Heritage Foundation is the repository of information in regard to what happens and what has happened in our society in times past: Were there graveyards there; was it a sacred burial ground etc? If I'm going to go and do some archaeological digging or do some kind of work that I think will come in conflict with that, the minister is required under the act to consult the Ontario Heritage Foundation in order to identify a problem before it happens. One of the things the act does is, it says under section 48 that the minister won't have to do that any more.

I would just remind people of the trouble that we've gotten ourselves into over the past number of years with our first nations people by not listening to their warnings about how we deal with areas that they consider to be sacred burial places of people who went before them. When our society has said we're not going to respect that and we're just going to go in and dig them up and put in a golf course, such as what was happening in Oka, or what's happened in other communities across Ontario over the past number of years, I think that really we're asking for trouble. If there was a section in the heritage act that required the minister to go to the Ontario Heri-

tage Foundation, it was recognizing that there had been problems with this in the past, and before we allow a problem to happen we should be consulting with the experts in order to make sure that we've covered off all the bases and know what kind of trouble we're getting ourselves into from the beginning.

In summary I would only say that I think Bill 20 in regard to this particular bill is problematic not only for us in the opposition, but I would say it's going to be problematic for the people of Ontario over the longer term. I would predict that in the short term it will probably lead to some new construction that is much needed within the construction industry; I don't think I would argue that. But I think in the long run we are going to be putting ourselves in a position with this act that is really going to lead to a lot of bad planning decisions that'll end up costing us money.

The first concern, as I said, was the whole question of what happens in only having regard to provincial policies rather than being consistent with—what we've tried to learn in this Legislature and what we've tried to learn in business, for that fact, being any good business person, is that you want to learn from your mistakes, so you develop policies in a company; you develop policies in a government. The idea is that you don't repeat the same mistake twice, and only having regard for that is really putting us in a tough spot.

The minister would have been better served in the beginning to say, if he has problems with the policies—and I would agree there were some problems with those policies in regard to how they were drafted. Our own government I think recognized that and was willing to deal with it in time of office, because those policies were only drafted last spring. I think we should have brought those policies back to some sort of public process where people have an opportunity to comment on them, to be able to look at the policies and to make changes that are necessary to reflect the times.

The great thing about policy is that you don't have to come back to the Legislature at every opportunity to make it reflect the times. I think we could have had a system in place under Bill 163, if the government had kept it in place, where we could have allowed the technology and the times to keep pace with the policies of the province of Ontario so that they are reflected in our planning. That would be one of the things that I would say in regard to this.

The other thing I would say, again, is the whole question of the Development Charges Act. I think it's going to lead to yet again another example of the government saying, "We can give our friends, the people who are well off in this province, another hand up this spring when we bring forward the Development Charges Act." The opportunity to pass on development charges, when it comes to soft services, we would have been a lot better off to stay away from that whole area because it'll end up costing the taxpayers many dollars. It's estimated, as I said, at about \$1 billion.

As a last point I would like to quote from the Common Sense Revolution, the document that is held in esteem within the Conservative ranks of this Tory caucus and by



a number of Conservatives across the province. It's held almost in reverence now. When we hold this document, when I open up these pages, I see people almost dropping to their knees because it's seen as such a hallowed document.

I would only again point to the document as another example of where this government is going in the whole question of municipalities, planning, taxes and all that, where the whole concept of only one taxpayer was brought forward inside this document. It says:

"Historically, municipalities have responded to provincial funding limits by simply increasing local property taxes. There may be numerous levels of government in this province, but there is only one level of taxpayer—you.

"We will work closely with municipalities to ensure that any actions we take will not result in increases to local property taxes."

I think we've seen ample examples in the last couple of days, through question period, that indeed the tax increase that you and I will get as a result of the 30% reduction in provincial taxes that will come forward over the next couple of years will be passed on to the taxpayers. I would add that Bill 20 will add to those increases in taxes quite substantially with regard to the poor planning in the province of Ontario.

On that, I would like to thank members for the opportunity of listening to the debate and I look forward to this bill going to committee, where we will be able to comment more fully.

**The Speaker (Hon Allan K. McLean):** Any questions or comments on the member's remarks?

**Mr R. Gary Stewart (Peterborough):** I would like to respond to that as an ex-municipal politician. I have to agree with what the member for Cochrane South said when he quoted, "The golden text of Bill 163 was not perfect." That's probably the most underrated statement that's been said in this House in some time.

What that bill did and what this one doesn't was to put planning back in Ontario, period. This puts it back in the hands of the municipalities, which is where it should be. I've talked to two municipalities today, visited all of them in the riding as well as other areas in the county. All of them want the terminology that says "give regard to." There's absolutely no doubt in any of our minds that you have to have policies, you have to have guidelines, but the wording of "consistent with" put planning solely in the hands of the Ontario government, not in the hands of the people. What happens in southern Ontario may not be what should happen in northern Ontario. If you have the policies and the guidelines in place, then we must have some type of confidence in these municipalities to do this.

What Bill 163 did and what Bill 20 does not do: It devastated development in rural Ontario; it protected the environment solely at the expense of people. What we're trying to do with this bill is to turn around the economic situation in this province, which this bill will do, but we're also going to protect the environment. God forbid, under Bill 163, whoever found a three-eared frog,

because you couldn't build for 100 miles around it and that was devastating and hurting rural Ontario. This bill puts development and planning back into the hands of the people in the municipalities, where they should be, and lets them control their own development with the help of developers and planners like my colleague.

2300

**The Speaker:** The time has expired. Further statements or comments?

**Mr Bradley:** I want to recommend again, for those who may not have been in the House earlier, two special reports. I was speaking to the author of these reports—one of the authors of one of the reports and the other of the other report. I recommend to all members of the Legislature the paper by Dr Joseph Kushner of Brock University on both these matters once again. I know the member when he was speaking was making some of the points that are contained within that.

I should mention, by the way, that Dr Kushner is originally from South Porcupine and therefore has some affinity probably with the member for Cochrane South. He's been a long-time resident of St Catharines.

Again, when you're looking at the whole issue of development, I think there should be a very detailed study. I don't know whether the province can initiate it. That could be part of it, and I mentioned one of the papers is going to be published in the next Canadian Tax Journal. But it would be interesting for municipal politicians to see the effect of probably more residential development than anything else and its impact on the community and the costs to the community and whether in the long run it's worthwhile, unless there are other components to that development.

I guess the best developments everybody looks at if you're developing a community is a combination of commercial and residential and industrial. If everybody could have that, they would like to have it. I know that the member who just spoke was putting forward those cautions which are always necessary in any one of these bills.

One of the advantages we have, and the government will appreciate this as well, I'm sure, is that we will public input as there is travel across the province, I believe, with this bill in the intersession. The kind of input we get on this bill I think will be as valuable as it is on Bill 26, and as a result I hope again we have a perfected piece of legislation.

**The Speaker:** Any further comments? Minister?

**Hon Mr Leach:** A couple of comments to my friend opposite and good critic. I congratulate him on putting 90 minutes worth of well-thought comments into the record.

There are a few issues that we differ on, but I don't think we differ a great deal on the philosophy. One of the areas I think that we differ more than others is the definition of "be consistent with." In my view, "be consistent with" means "Do what we tell you," whereas "have regard to" says, "Please take into consideration the big picture when you're making your local decisions." That's what I think the message is we're trying to get across, that planning and development should be some-

thing that's done as close to the local scene as it's possible to do.

But again I agree that Ontario belongs to us all and that we should try and take into consideration the big picture, but development varies from southern Ontario to northern Ontario and from western Ontario to eastern Ontario. So if we take into consideration, if we have regard to, what everyone else is doing, I think that works better than "be consistent with," which is "Do what we tell you."

**The Speaker:** Further questions or debate? The member for Cochrane South for two minutes.

**Mr Bisson:** I would only say to the minister this, and to the other member from the Conservative Party, and I'm unfamiliar with the riding, unfortunately. In the question of changing "be consistent with" and "have regard to" as an intrusion on to municipal powers, what you're basically saying is that it'll force municipalities to do all the same thing across the entire province of Ontario without having regard for the geographic area that they find themselves in. I say that's easily fixed through the policies themselves.

I think there are general policies that reflect good planning that are applicable to all municipalities no matter where the geographic area is, but in those cases where specifically you have to take into account those particular differences in geography or weather or whatever it might be, I think those are easily dealt with through the policies.

I return to the point that I made. I think the problem that we're going to get into here is that if you make it only "have regard to," what'll happen is that each municipality will interpret the rules and the policies of the province in its own way, and you will have no ability as the minister to enforce good planning on those municipalities in cases where they don't do good planning.

What you'll end up with in the end is that developers will line up at the Ontario Municipal Board three deep saying: "God, I've got a development that's going to go forward. If I was living in Sudbury, they'd allow me to do it, but in Timmins, because they're interpreting the rules differently because of the 'have regard to' provisions, they don't want to let me go forward." They'll bring that darned development to the Ontario Municipal Board. I think that's a problem.

I think the minister could guard his much-cherished view, which I think I can agree with to a certain extent, by allowing municipalities to deal with planning on an individual basis when it comes to specific local concerns by enacting that within the policies themselves and the regulations. I think it allows you, as minister, quite frankly, more freedom and flexibility to be able to recognize that.

**The Speaker:** Further debate?

**Mr Bruce Crozier (Essex South):** It's a pleasure for me to rise this evening to speak to this bill. I don't know what it is I've done in the past, but it seems to me that in the past week or so the only time that I draw on the schedule is late at night. They must think I'm a night-hawk in the Liberal caucus.

**Mr Bisson:** They're calling you a ghoul.

**Mr Crozier:** Yes. What I would like to say at the outset is to make note of what might not be noticed as significant to anyone else outside of the riding of Essex South, but I am pleased, Minister, to see that section regarding the township of Pelee in the county of Essex. It is assigned the authority to give consent, and consequently it's also given the authority to approve the exercise of power of sale and foreclosure and the authority to issue certificates with a validation of title.

Colleagues, the township of Pelee is really Pelee Island and several other little islands towards the centre of Lake Erie. To give any special status to Pelee Island is a recognition of a unique part of my riding. Pelee Island is an island of about 200 residents. For many years, of course, it's been primarily farm land and still is.

But Pelee Island is facing many of the pressures that rural Ontario, as we know it, is facing, and that is that development for tourism is competing for some prime agricultural land. Some of the finest grapes that are grown in southern Ontario are grown on Pelee Island. So it's this pressure of development for tourism, for water sport, marinas and that sort of thing that Pelee Island faces. So I'm sure they appreciate that they will have some significant control over their destiny, although it, I'm sure, won't make their job any easier because, as I say, of this competition.

Also in Essex South, I might say, when it comes to planning issues, when it comes to development, because we're surrounded on three sides by water, there are significant marshlands. Therefore we also face the problem of development that may infringe on these wetlands. I would hope that in this increased authority that's given to local municipalities there still is that ability that we might be able to save these wetlands so that we don't infringe on them to the point that we lose them.

Also I might point out a geographical significance of Essex South. It fits in with the problems with planning and development and competition. If you take the cardinal points of the compass from Essex South and you go 200 miles north, south, east or west, why, you are in the United States. For example, if you go north 200 miles on the cardinal point of the compass, you're in the state of Michigan; if you go south, you're in the state of Ohio; if you go east, you're in the state of Pennsylvania; and if you go west, you're in the state of Illinois.

2310

Why do I tell you this? Because, as I said, there's a lot of competition, a lot of pressure on those of us in Essex South to develop industrially because just across the border there are 4 million people who surround us and from a competitive standpoint it's an ideal place for industry to locate. But as several of my colleagues have mentioned earlier, we have to balance that with the fact that prime agricultural land can't just simply be built on and paved over. Those are of concern to each of the communities.

Earlier this evening, we were trying to think of the correct word when my colleague from St Catharines was



complimenting the minister on the fact that there's no mention in this of bonusing. That was the word we were looking for, where municipalities can give any advantage to industry to come in and thereby encourage the development of agricultural land. Because bonusing, as many of us know, is giving tax breaks, essentially, to industry to come in and develop. What's happened in many places in the United States is many counties in the United States have simply gone bankrupt because they have given too many advantages to industry in the way of tax concessions or bonusing, as we call it.

In fact, I think the previous government sent out a questionnaire as to how we felt in our municipalities about bonusing. I think that was rejected as one of the options that municipalities would like to have. Many counties and municipalities in the United States have simply gone broke because they gave too many advantages to industry and once the time of the advantage had expired, the length of time, for example, that they may have been given some concession on their realty taxes, industry simply moved on to somewhere else where they were able to get a better bonus.

So notwithstanding those pressures from the area that surrounds us and from industry wanting to develop in Essex South, we've been able, I think, to maintain a balance in our area.

I think back to my municipal days when I was on town council and when I was mayor. Planning and zoning changes were the most difficult area that I had to deal with. I hope this is attributed to the right source, but I had heard over the years and I've repeated that Mayor Mel Lastman said that, "Developers are not to be feared, but they are a force to be reckoned with."

I think that's another challenge that's facing the municipalities, whether they have more authority under the proposals that are brought before us in this Bill 20 or whether it was the previous act or whether it may be changes that are made in the future, that one of the difficulties that will always face municipalities is to plan properly and then having official plans in place to properly zone. Because it seemed to me no matter what choice you made, there was always someone else who felt it should be done differently, and they had good reason. We would have developers come to us and they would want to develop in a zone that was not designated or even covered under the official plan. They always had good reason that they should develop in a certain area of the municipality, but you had to weigh that against the plan that you had for the future and how you wanted your municipality to develop.

I suspect that many years ago, before any of us were concerned too much about official plans, many of our communities just grew rather ad hoc and what we're dealing with now are situations that have developed over many, many years that we're trying to improve and change and make better, obviously, for the future.

I noticed in the bill there are a couple of areas that I'd just like to comment on this evening. One is that the time frames for processing applications is to be shortened. I think we all appreciate that. Again, developers put a great deal of money, time and effort into plans and proposals that they bring before a municipality.

In turn, the municipalities themselves spend a lot of time with their staff in reviewing these plans and proposals. In the meantime, if this takes a long time, there are a couple of things that are lost, not the least of which is the developer's time and money that they have invested, and also the municipality, if it ends up being a benefit to the municipality, is losing assessment dollars. Any effort that can be made to shorten this time I know will be one that will be appreciated by both the municipalities and the developers.

The Ministry of Municipal Affairs as well "will be identified as the only provincial ministry that can appeal a planning decision to the Ontario Municipal Board. This will ensure the province speaks with one voice on planning matters." Again, I think that's a good move. In my municipal experience, where developers have come to us, they've spent months literally going from one ministry to another, in some cases coming down to Queen's Park, trying to be helpful in moving their planning process through the various ministries. So I think any time we can speak with one voice and any developer and/or municipality can go to one place and get the answer they want or at least get the direction they want will be most helpful. So I'm pleased to see that's been put in place.

The one item about the right of appeal to the OMB on minor variances will be removed. I'd like to comment on that because I don't think I've ever been able to find a definition of what a minor variance is. A minor variance to me, because I'm the one who's trying to obtain it, might be something of more significance either to the municipality or to my neighbours. So the fact that either someone who's trying to obtain a minor variance can't then appeal that or someone who's obtained a minor variance and it can't be appealed by the neighbours is of concern to me, because these types of things are not always black and white. That's why I said that there's so much grey area in the planning and zoning decisions that are made.

Another item in the act will give local municipalities more control over planning decisions under their local official plans: I again can say from a municipal perspective, anything in this act that helps to give municipalities more power or more authority—I hesitate to use the word "power" because we've talked an awful lot about that in this place in the last couple of weeks—over your local decision-making I think is good if we again have the proper guidelines in place.

I think local authorities know their area best. I know we always felt that in Leamington and now that I'm representing a little broader area, I'm sure that's the case in places like Amherstburg and Harrow and Kingsville and Essex and all through the riding, that if the authority to plan, the authority to make their own decisions, within guidelines, can be made by local municipalities, why, certainly they will appreciate that much more.

2320

A comment was made just a few minutes ago about planning decisions having to "be consistent with" provincial policy being deleted and "have regard to" provincial policies being inserted in its place. I assume that this is

based on the assumption that planners and decision-makers, including the Ontario Municipal Board, know what this means and that they do take provincial policies seriously. It does, as a matter of fact, I guess, give local decision-makers a little more flexibility and discretion when they implement these policies, but again it's somewhat like a minor variance. If you don't have a clear definition of what "have regard to" means, it may make the decision-making process a little more difficult to cope with. But I suppose over time we'll find out whether this is better wording and more easily dealt with than has been in the previous bill, albeit it was only there a short period of time.

Also in the act I've noted that the government will review the environmental standards set out in provincial policy statements over the winter of 1995-96, and I know that we were all interested to realize that more than 600 pages of guidelines currently accompany the policy statements and they will be reviewed and, I see, significantly reduced. As I spoke earlier when we were speaking to Bill 6, any time that we can review, reduce and, in fact, rescind regulations, I think that will be helpful to all of us.

Again, when it comes to the environment, I'm concerned in my area because of the significant wetlands, the significant farm land. I might say, compared to my friends in Kent county, we think we have some of the finest farm land in Ontario, and I suppose I will agree that both counties have some of the finest farm land in Ontario. So we want to see that dealt with in an appropriate way.

Also, the new rules for apartments that were introduced by the Planning Act amendments that will allow municipalities to regain the authority to establish through zoning bylaws where new second units in houses are to be allowed and the types of houses where second units are to be allowed and what planning standards will apply: That's one area where I couldn't agree with you more, because albeit I've only been here a short period of time, only a couple of years, it was during that time that we got into second apartments in dwellings, and I had a great deal of difficulty with that.

I think back when I was again on council, on a municipal council, and when I was mayor, I really think that local municipalities should have the authority and the ability to designate what zoning will be applied to various areas, and I think the residents of any municipality have the right to expect that. If they have a residence that's zoned R1, I think they have the right to expect that that then won't at some time later be further developed with what we commonly refer to as "basement apartments," and that parking will become a problem, among a host of other things. At that time we spent a great deal of time talking about the safety of so-called basement apartments, and I'm very pleased to see that the government has now decided that it will attack that part of the previous legislation which I thought was unfair.

In spite of my attempts to use up my full time this evening—and I know everyone here will be disappointed that I'm not—I appreciate the opportunity to give a few comments to this. I know that we will be looking forward

to discussing the bill at further length when it's in committee, when it's an atmosphere that allows for a little bit more discussion, but I think, for my part, that this bill has started on the way to making some significant improvements to the current legislation, and I thank you, Mr Speaker, for the time.

**Mr Jack Carroll (Chatham-Kent):** I must rise and respond to the comments from my friend from Essex county. It was so nice of him to include us, we people in Kent county, as having equally as fine farm land. I'm sure Mr Hoy behind him will be happy to hear that too.

As to your comments about being late on the agenda lately and drawing the short straw, it obviously has something to do with the fact that you're much more mellow in the evening. It's so much nicer to hear you talk and wax eloquent at this time in the evening.

I must also make a comment about the fact that you actually come out in support of Bill 20. It's nice to see that as a former municipal politician you understand the attempts that we are making to streamline the process to give more power to municipalities so that they can in fact get on with their business.

My comments directed to my friend from Essex are all very complimentary and I appreciate his comments and his support of our endeavours.

**Hon Mr Leach:** I too would like to thank the member from Essex for his kind comments on the bill. It was nice to see so many issues be supported in a non-partisan way.

There were a couple of issues of course where we differ; minor variance is one. I believe that if there is any issue at all that a council of a municipality should have the authority to do, it would be to make a final decision on a minor variance. After all, the expression itself indicates that this is a minor issue. If the duly elected officials of a municipality don't have the power to rule on something as simplistic as a minor variance, they really do not have a whole lot of role to play.

Other than that, I was pleased to hear the comments of the member.

**M. Jean-Marc Lalonde (Prescott et Russell) :** Je dois tout d'abord dire félicitations à mon collègue d'Essex-Sud pour ses paroles concernant ce projet de loi. Je peux dire qu'il y a quelques points aussi qui m'inquiètent dans ce projet. Il s'agit de l'article 13, la partie 7(c). Je crois que, pour élaborer un peu, je peux dire que pour les petites municipalités qui sont limitées en le nombre d'employés, les dates indiquées ou les jours indiqués dans ce projet de loi, qui est 90 jours après le dépôt des amendements, on doit définitivement prendre en considération que dans les petites municipalités, nous n'avons pas les ressources nécessaires pour apporter ces modifications au projet de loi et aussi les soumettre au public.

There's also another section that I'm concerned with, subsection 17(1), which says:

"The council of a local municipality shall amend every official plan and every by-law passed under section 34 or a predecessor of it to conform with a plan that comes into effect as the official plan of a county, regional, metropolitan or district municipality."

Again, I wonder if we do all have the resources necessary. I do believe the faster we could pass it, it



would eliminate the red tape. We always say that, but I'm really concerned with a small municipality, how they are going to achieve or to meet those 90 days as indicated in this bill.

But besides that, I have to say that I support the majority of this bill, and there are definitely some flaws in there that we have to look at.

**Mr Gerretsen:** I would like to respond to something the minister said, and that deals with a minor variance. As you stated, it's a minor matter and surely the municipalities should be dealing with it. I agree with that; in a theoretical sense that's correct. The problem is that's only looking at it from the municipality's viewpoint. You also have to look at it from the applicant's viewpoint. If we all agree it's a minor matter, if the applicant somehow doesn't feel that he or she has gotten justice from the municipality, then there ought to be a way to resolve that particular issue quicker and faster than having that person apply for a zoning change application.

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As I stated earlier, the best way to do that, in my opinion, is to make sure the OMB can deal with that matter quickly and expediently. The main problem with the OMB traditionally has been that it would usually take anywhere from six months to a year to a year and a half to get a hearing. I know that process is a lot quicker right now. One of the ways in which you can do that, in my opinion, is to set aside certain members of the OMB—obviously that number, or who those individuals are, can change from time to time—to deal specifically with minor variance appeals so that they can deal with it quickly and expediently, and if an appeal is made on a minor variance, they can deal with it within, let's say, a matter of a month and a half to two months.

I think it's more of a question of an administrative matter to deal with it quickly, to have that independent body, away from the committee of adjustment and away from the council itself, make a final decision in those situations where the applicant and a municipality disagree.

**The Speaker:** The member for Essex South has up to two minutes to reply.

**Mr Crozier:** I think I very quickly should get up in my defence, as the member for Chatham-Kent suggested I get mellow. I don't want to be mistaken for being that. Maybe I'm just tired.

**Mr Hoy:** It's Christmas.

**Mr Crozier:** My colleague reminds me it's Christmas.

I appreciate his comments. Also, I don't want to go too far in endorsing this before we get past second reading and get this into committee. I do want to reserve that decision. But I think my words either were or should be that certainly I endorse the direction in which it's going.

**The Speaker:** Further debate?

**Mr Howard Hampton (Rainy River):** I want to make a few comments about the general direction of this bill. I suspect that most of what I have to say the government won't want to hear, but it's all the more important then that I say it, because I think that where the government is taking the province in the medium term and in the longer term is the wrong direction.

Let me say up front what I think this bill is about. This bill is about weakening environmental protection in the province and this bill is about reducing democracy when it comes to the development of land and the usage of land. That's what's really happening here. I think they're both wrong and I believe that in the not-too-distant future we will see how wrong they are and we will see what kind of environmental deficits and social deficits have been created to make a little bit of quick money for developers.

The minister himself has said in speeches that the problem with the existing Planning Act and the policy statements under it is that they go too far in protecting the environment, so he's been very clear about the government's motivation here.

That to me is a very sad comment. I would invite the Minister of Municipal Affairs and Housing to read a very good book. It's called *Preparing for the 21st Century*. No less a Conservative than Kim Campbell recommends that people should read it, because it's a book that tries to look at the economic, the social, the environmental problems that the whole world has to confront as we enter the 21st century, and it tries to balance out some of those environmental, economic and social problems.

One of the conclusions it states very eloquently is that if you think you can squeeze some short-term economic growth out of the environment and you don't have to worry about creating a medium or longer term environmental deficit, then you're really on the wrong track, and in five or 10 years down the road you're going to find yourself paying more in terms of trying to repair what you've done than you're going to get in any sort of short-term economic stimulus.

I recommend that the minister have a look at that book before he proceeds further.

One of the things that I think we're going to see out of this bill, if it proceeds into legislation, is that it's going to create some economic externalities. It's going to lead to honest taxpayers subsidizing developers because part of what the government wants to do here is that it wants to say to developers: "You should be free to go ahead and develop new subdivisions. You should be free to go ahead and move towards urban sprawl. Don't worry that we may have to build new schools to facilitate this subdivision. Don't worry that we might have to put in a new public library to serve the subdivision. Don't worry about any of those things. The taxpayers will pick up those things."

What an incredible ripoff of taxpayers and what an incredible subsidy for those who are trying to make money on the development side. Government members will say that's not going to happen. I will tell you right now, if you follow the comments that the minister has made, and if you listen to the lobbying that's gone on by developers, that's exactly where we're headed. Taxpayers will end up picking up the costs, the charges for what are called, for lack of a better term, the soft services, and taxpayers will be handing a subsidy to developers. That's where this government is headed.

What will be the result of that? We've seen this result in the past because in many ways this is heading backwards.

**Mr Joseph Spina (Brampton North):** We can see the results of the last five years and \$8-billion deficits.

**The Speaker:** The member for Brampton North is out of order.

**Mr Hampton:** It is heading backwards, back to the situation we had, and the situation we had was municipalities having to raise their municipal taxes to provide the school services or the library services and, in some cases, hard services because of the urban sprawl that was allowed by some of those development and planning policies in the past, and we've had municipalities running to the province saying: "We want a subsidy. You have to help us out. We can't afford this. You need to help us pay for some of this."

Where the government is taking us here is full speed into the past in terms of some of the subsidies taxpayers are going to have to offer up to private developers. But again, this won't start to appear until five or 10 years down the road. The government then will say, "Well, that's somebody else's problem."

The other direction I think the government is headed in here is really to reduce local democracy. If there's going to be a development in a local area, one would think that it is basic, elementary, commonsense democracy that local folks ought to have an opportunity to review the proposed development at a public meeting and to comment on it. One would expect that would be a rule that should apply across the province. If you're going to move in the direction of a new subdivision or there are going to be significant severances, there ought to be a requirement across the province that there be a public meeting and a public right to comment.

Much of that is either being lost or it's being reduced, and I can only say that it really is an attempt to remove that right of local democracy so that it can facilitate—

**Mr Murdoch:** Putting it into their hands. It is giving it back to the municipalities where you took it all away.

**The Speaker:** The member for Grey-Owen Sound is out of order.

**Mr Hampton:** I told you, Speaker, that some of the government members wouldn't like what I had to say; all the more reason why I think it needs to be said.

What this government has against local democracy in the sense that local folks ought to have the chance to have a meeting at the local level and the development proposal ought to be put there for public review, why this government is opposed to that may be difficult to explain, but I would suggest it's simply another chit for developers and removes that difficult aspect of local democracy, participatory democracy. After all, people may want to have a say and people may want to be fully informed, so the government's simply going to get rid of that.

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I want to talk a bit about the protection of the natural environment and why it's so important. The existing Planning Act and the rules under it basically say that we should protect significant ravine, valley, river and stream corridors, and we should protect significant portions of the habitat of endangered species and threatened species in terms of lands that are adjacent to this, if development

in those places negatively affects the ecological features of those functions.

I will go into why we need to do this because I know none of the government members will. The reason I think we need to protect those kinds of things is—I think some of the reasons are evident in our history. We can deal, for example, with the situation we face across much of southern Ontario where over the last 30 or 40 years in many locales in southern Ontario the provincial government and local governments have had to pay for and subsidize the building of water-control structures and dams to guard against flooding, on the one hand, and we've had to put in place other measures to guard against erosion in other situations.

Why is that? That has happened because governments in the past did not think enough about protecting stream corridors, protecting significant forested areas, ravine areas from erosion. Too much development; too often development was allowed in those places. As a result, there is no sort of natural protection of the watercourse and when it does rain or when there is spring runoff, there is no containment for it so it all goes down the creek and the river in a hurry, and you get flooding and you get erosion.

If the kinds of measures and the guidelines that are in the Planning Act now had applied 20, 30, 40, 50 years ago, we would not have had to build as many expensive water-control structures, dams, and we would not have had the difficult problems we're having across much of southern Ontario in terms of flooding and erosion.

Just looking historically at some of the past events in southern Ontario, there's ample evidence of why we should be taking protection of these features seriously. I will say again that I think as the public watches the progression of this bill and the progression of the things around it, what we're going to see is a backing off from that kind of protection and the backing off from that kind of protection is going to cost us money. It's bad economics, it's bad development and it's bad for the environment.

**Mr Murdoch:** So what you're saying is the municipalities can't look after themselves. Is that what you're saying?

**Mr Hampton:** One of the Conservative members wants to get into the issue of municipalities. I will oblige you and we'll talk about municipalities in a while here. We'll talk about that.

There are other reasons, broader, what you might call more global reasons why we ought to think seriously and long and hard about the environmental aspects of this. The reality is that what we do to the environment here is a global issue. We cannot say to people elsewhere in the world, "Don't pollute the ocean" if we are not going to be environmentally responsible with our own lands and water. We cannot say to people who live in South America or Central America, "Don't destroy the rain forest because it's important for the global environment," if we're not prepared to take environmental protection seriously here. We cannot say to people who may live in Southeast Asia, "Don't degrade the environment there," if we're not prepared to take serious actions here.



The reality is that to the extent that we back off, to the extent that we are prepared to create a medium-term and longer-term environmental deficit, to the degree that we are prepared to do that, and this government is prepared to do that, that lessens the arguments that we all need to make as citizens of the earth about the need for overall environmental protection across the earth.

It takes away any moral authority we may have, it takes away any positioning we may have to make those arguments, and yet if you read a book like *Preparing for the 21st Century*, one of the messages that comes through loud and clear is the absolute need to take those kinds of arguments and those kinds of issues more seriously now than ever before. Otherwise we end up in a situation where we each—and I'll use the term—bugger our neighbour and neighbours bugger other neighbours, and we all end up with a worse-off situation in the final analysis.

What I think we're going to see is, as I said, a backing away from the protection of significant woodlots. I believe that, particularly in southern and central Ontario, is going to have some very negative medium-term and longer-term environmental effects. I believe we'll see a backing away from the protection of ravine, valley, river and stream corridors, and that's going to have some longer-term negative effects as well.

I want to deal just for a minute with the issue of urban sprawl, because that bears directly on the environment. I believe that where the government is headed will be a situation where more urban sprawl will be allowed. Urban sprawl means a few other things. It means more cars, more trucks, more motor vehicles. It means more air pollution. It means, particularly in southern and central Ontario, the loss of more farm land, and I think we're going to regret that. Indeed, we're starting to regret it already. But we're going to regret it more and more, because there is only so much significant farm land in southern Ontario, and much of the farm land that we already have in southern Ontario has not been cared for in the way that it should have been over the last 40 or 50 years.

All those things are going to add costs in the longer term. If we're going to allow more urban sprawl and we're going to have more trucks, more vehicles, we're going to need more highways. To the degree that we have more air pollution, we're going to impose other costs on society. Anybody who lives, for example, anywhere near the greater Toronto area knows that there's already a significant air pollution problem here, and that air pollution problem becomes quite serious when you have hot, humid weather any time between April and, say, October. Those kinds of problems are simply going to magnify and become worse if you follow the general direction that this government is headed in with this legislation.

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**Mr Murdoch:** Isn't this awful? We have been listening to this kind of stuff for five years.

**The Speaker:** The member for Grey-Owen Sound, come to order.

**Mr Hampton:** The government talks about returning things to municipalities. What this government is going to do is it's going to put municipalities in a really difficult spot. Municipalities have limited financial resources, even though this government is prepared to give them all kinds of new taxing power and then turn around and say to taxpayers, "Well, we didn't increase your taxes." But even with that, municipalities have limited financial resources, limited administrative resources, limited scientific and engineering resources. If you follow where the government is headed, what you're going to see is that this government expects municipalities, particularly smaller, rural municipalities, to be the plug in the dam.

So when a developer, and in many cases the developer will be a large financial interest or will have significant financial clout, descends on the smaller, urban or suburban municipality and says, "I want to do all this," you're really setting up a David and Goliath type of situation: the developer having money, having connections, having the ability to get its own planners, having the ability to set up its own scenario, and municipalities simply not being able to operate on that scale. There, again, is where the government I think is headed on this and is setting up a very unequal situation and is going to put municipalities in a difficult spot.

The government thinks that by taking the policies to "be consistent with" and changing them to "have regard to," it's going to do a favour for municipalities. I don't think they're going to do a favour to municipalities at all, and in fact I don't think they're going to do a favour here for developers at all, because what they're going to do is they're going to introduce more uncertainty into the process, and what's needed here is more certainty and more definitive language.

By again moving back into the past, which is in many ways what this bill is all about, you're going back into those very uncertain situations. You're inviting the kind of situation where you have party after party lining up at municipal councils arguing for their definition of what the language will now mean and you're inviting more litigation at the Ontario Municipal Board. I'll say it right here: This is where we're headed.

This is not going to be a favour for municipalities. It's going to put municipalities in a very tough spot and it's going to create, as I say, more uncertainty, more litigation, more lobbying at that municipal level than, frankly, municipalities have the capacity in many cases to deal with and in many cases don't want to deal with.

**Mr Spina:** You're underestimating them, I can tell you. They're not a bunch of idiots, you know.

**The Speaker:** The member for Brampton North, come to order.

**Mr Hampton:** The member for Brampton North says municipal politicians aren't a bunch of idiots. No one argues that, no one alludes to it except the member for Brampton North. The fact of the matter is that municipalities, and he may not choose to recognize this, simply don't have the legal tools that the province has, the financial apparatus the province has, the access to expertise that the province has, and yet this government

is now going to say: "It's off our plate; it's now on to yours, municipalities. You handle the problem." What an unequal situation to put municipalities in.

I want to say now just a bit about what some other folks are saying out there. An interesting article in the *Ottawa Citizen* not long ago by Meg Sears—

**Mr Spina:** You quote everybody but your own riding.

**Mr Hampton:** Again, I listen to some of the Conservative members, and they want to talk as if the issues of land use planning and environmental protection somehow have no place in the province. Again, I think that belies where the Conservatives are coming from. They aren't thinking about this in terms of a global responsibility, in terms of a national responsibility, in terms of a provincial responsibility. If it's a tough and difficult issue, foist it off on the municipalities, even though they may not have the tools to deal with some of the issues.

I want to refer to this article by Meg Sears, who is someone who takes a very keen interest in land use planning. This is what she says:

"Careful land use planning is imperative, though difficult. Cities are sprawling, highways are choking, farm land is disappearing and inner cities becoming less livable. The landscape more and more is being turned over to human uses. Air and water quality are deteriorating and biodiversity suffering as the natural buffers in the complex system we call the environment are removed. Ontario has been applauded internationally for its courageous steps towards responsible planning."

But then she says:

"We are about to regress. In the 1980s it became clear that major changes had to be made at the planning system. It was slow, it didn't work and the rules were not clear. Although the landscape obviously cannot be separated from the environment, an artificial distinction in the system led to repeated calls for environmental assessment of development proposals, and the Ontario Municipal Board hearings dragged on with environmental arguments."

That was the world that was. It was very clear that there needed to be some clear policies and some clear language and that those clear policies and clear language needed to give some certainty to municipalities so those municipalities could then move through a planning regime without having everything appealed to the Ontario Municipal Board, without having every development tied up in meeting after meeting, lobbying after lobbying. That was the move that was made during the 1980s and 1990s.

What Meg Sears says is that, very clearly, this government is headed back into the past; that we are headed back into the past, where we will have the old system of inconsistent policies, inconsistent guidelines and practices. It means that in this uncertain climate enormous amounts of money will be wasted by gambling developers and citizens fighting battles to protect neighbourhoods and significant natural resources. She says we're very clearly headed back into the past.

She says, "Who is this being done for?" Interestingly enough, she says the people who opposed moving ahead

into a 1990s and into, really, a 21st-century planning regime overwhelmingly were land developers, because, again, the interest there too often is that they want to make a profit today, let municipalities and taxpayers pick up some of the externalities, and as for the environment, "We'll worry about that down the road." That's the one interest group that wants land use planning moved back into the past; the other, frankly, is, some rural municipalities want it. That's true. Some rural municipalities want that.

I want to just go on and refer to some of the other comments she makes. She says, "One reason given for taking these giant steps backwards is so decisions will be made locally." But she says they're already being made locally. But what the government has in mind is going to infringe on everyone's quality of life. She says, "The provincial government and we the taxpayers cannot afford to bail out poorly planned communities with polluted water or insufficient roads and other infrastructure." She says, "Those poised to dismantle planning reform maintain that those at arm's length to the planning process, citizens who merely live in the communities and pay taxes to fix up messes, should not be involved." That's really the removal of democracy here.

Many more citizens and members of non-governmental organizations interested in community issues such as highways through neighbourhoods, shopping malls, schools, water quality, agricultural land and natural spaces are very important players in the planning process, but again, they're going to have their opportunities to have a say in land use planning taken away by this bill.

So we will have an opportunity, as we go forward from here and as this goes out to committee, to look at some of the details and to look at this bill piece by piece. But I think it's very important that we acknowledge right here where the government is headed. It is prepared to sacrifice the natural environment in order to, it hopes, get some quick money on the development front. It is prepared to downgrade democracy at the local level in order to allow developers a greater movement forward, and a movement forward without having to involve all those folks who are interested in: Where's the shopping mall going to be located? Where's the school going to be located? Where's the library going to be located? And how is all of this going to be paid for?

I think the government is going to hear from a lot of folks on this bill as it goes out to committee, because the government is going to find that indeed land use planning is more complex and there are more people interested in land use planning in this province than just developers and just some municipal leaders.

I'll leave it there for now. We look forward to the public review of this bill as it goes out to committee.

**The Speaker:** I could ask for any comments or questions. I don't know whether you want to pass this second reading tonight or not, but anyhow we'll have the member for Cochrane South.

**Mr Bisson:** Thank you very much, Mr Speaker. Your comment that we are allowed comments is interesting, and I will do so.



Very quickly, I just want to agree with my colleague from northern Ontario in regard to what it means, because I would repeat again, and I think the member made the point, that part of the problem that we're going to have with this bill, quite frankly, is that we're going to have a backlog in the longer term with people going off to the OMB for the reasons that were pointed out in his speech. If you allow local municipalities to be able to interpret the provincial policies any way they see fit, you will have developers going to one community and saying: "It's funny. Sudbury told me that I can do it this way. You're telling me that I can't. I want to bring to the

OMB an objection that is based on your not treating me the same as I would be treated in another municipality." So I think the member is 100% right.

I would say on the other issue that he raised, in regard to the environmental cost, to have a planning process that is heavily weighted on the side of the developer in the end is not good for the environment and not good for good planning.

**The Speaker:** It being 12 of the clock, this House stands adjourned until 10 am tomorrow.

*The House adjourned at 2401.*

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## Assemblée législative de l'Ontario

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# Official Report of Debates (Hansard)

# Journal des débats (Hansard)

Thursday 14 December 1995

Jeudi 14 décembre 1995



Speaker  
Honourable Allan K. McLean

Président  
L'honorable Allan K. McLean

Clerk  
Claude L. DesRosiers

Greffier  
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# LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 14 December 1995

# ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 14 décembre 1995

*The House met at 1002.*

*Prayers.*

## PRIVATE MEMBERS' PUBLIC BUSINESS

### REMEMBRANCE DAY ACT, 1995

### LOI DE 1995 SUR LE JOUR DU SOUVENIR

Mr Boushy moved second reading of the following bill:

Bill 25, An Act to provide for the Observance of Remembrance Day / Projet de loi 25, Loi prévoyant la célébration du jour du Souvenir.

**Mr Dave Boushy (Sarnia):** I'll try to be very brief so that other speakers can contribute to this important debate. I'd like to point out too that this is the first time I speak at length.

I think the bill is clear enough to this House and to the people of Ontario. It would establish November 11, Remembrance Day, as a provincial holiday.

The reason I brought this bill forward is simple: to give deserved recognition to those who fought, died and were wounded to protect our country and defend democracy.

Ontario and Quebec are the only provinces that haven't made Remembrance Day a statutory holiday. It is time that we recognize the debt of gratitude we owe to the tremendous bravery and sacrifice of those who served for our sake.

I hope that, together, we can honour the memory of the past and keep it alive. Remember, if not for the brave veterans who served the cause of freedom, none of us, ladies and gentlemen—none of us—would be able to sit here this morning and go on with the business of our democratic government.

Remembrance Day is becoming just another day of the year to many people in our communities, even though it should be one of the most important days to Canadians.

My fellow colleagues, we cannot allow those who paid the supreme sacrifice to be forgotten, nor should we forget the atrocities of war faced by veterans so that we could live in a free, democratic society.

As I said, only Ontario and Quebec do not recognize Remembrance Day as a provincial holiday, and it's about time we changed that. It would be appropriate for us to move ahead with recognizing it this year, the 50th anniversary of the end of the Second World War.

Some people may argue that we can't afford to take another day off, but recognizing Remembrance Day would only bring the number of statutory holidays up to nine. I think the closure of business for one more day is a very small price to pay compared to the high price the veterans paid in order to protect our future. We owe them this respect. They paid for our future with their struggles and their lives. How can we even put a price on their

sacrifice? Remembrance Day should be more than one minute of silence that's quickly forgotten as we get on with the business of the day. We owe so much to those who served and died. I don't think it's too much to ask that we give up the convenience of keeping stores and schools open on November 11.

If you give this bill your support, you will be telling those who fought for us, "We will never forget you, we will never forget what you did, and we are forever grateful."

This is a bill that should have been enacted a long time ago. I have seen tremendous support for making Remembrance Day a provincial holiday.

Up beside me in the members' gallery is Wilma McNeill. She is so aware of the importance of Remembrance Day that she has spent six years fighting to get it recognized. Last year she collected 15,000 cards of support, one of which was signed by our Premier, Mike Harris.

Today I'm not just asking you to support my bill. I'm asking you to support the memory of over 100,000 Canadians who died for us.

Allow me to read you part of some of the many letters of support Mrs McNeill and I have collected. I have the letters here, copies. I'll be glad to send them over to anyone who would like to see them. This is one from Vic Dudek, a respected vice-principal in Sarnia. He says the bill has his full support: "This is a very worthwhile endeavour."

John Stewart, vice-president of the Air Force Association of Canada, says: "That this province, one of the cornerstones of Canada, should have eliminated the recognition in the first place is a slap to those who...gave of themselves to keep this country a cornerstone of democracy. To recognize days of lesser significance by declaring them holidays makes it even more shameful."

Here's a resolution from Sarnia city council: "That Sarnia city council support the Royal Canadian Legion...and request the provincial government to declare Remembrance Day a statutory holiday."

Here's one of interest to this side of the House. Jean Charest, leader of the federal PC Party, wrote this to Mrs McNeill: "When I last visited Sarnia, I signed my name supporting your cause. I still support your cause now and wish you the best of luck."

1010

To the other side of the House, I'd like to point out, if you're listening, from Lyn McLeod, Leader of the Opposition: "I believe that it is of utmost importance to our honour and our privilege and our history to honour and remember those courageous men and women who bravely fought to preserve our liberty." I have Mrs



McLeod's letter here. If you'd like to have a copy of it, I'll be glad to send it over to you.

From the Minister of Intergovernmental Affairs when she was deputy leader of the PC caucus: "This day is, without a doubt, vital to the history of our country and the world. It would be a tragedy to allow the efforts and accomplishments of our veterans, indeed, all veterans, to ever be forgotten."

The list of supporters goes on and on.

To me, and to thousands of other people, the issue is what importance and relevance we as a society give to Remembrance Day, and in particular to those men and women who risked everything for our country.

In our democratic society, cooperation is very essential, and I'm reaching out my hand and asking for the support of everyone from this side and from the other side of the House. I hope everyone here will carefully consider that before you decide how to vote.

**Mr Mario Sergio (Yorkview):** I'm quite pleased, as a matter of fact, to rise and speak in support, although briefly, of the proposed bill. I think this is a very small act that we can do in remembrance of our heroes. I'm sure we wouldn't be here in this wonderful democratic place if it wouldn't have been for the efforts, the sacrifices and the lives of those people.

Just let me tell the House how important it is and why it is so important. Almost on a daily basis, members receive delegations or groups or students from the various parts of our province here from our ridings, and it was just on Monday of this week that I had one of the groups from my own riding, from the riding of Yorkview. While we were entertaining the youngsters, going through the hallways of the House here, a young girl said: "Who are these people? What do they represent?" It was one of the pictures of a particular battle in which Canadians were involved.

We got into a little bit of discussion with the group, and I said to the teacher, "It is wonderful to see the kids here today so they can see, they can learn, they can find out," but I said, "That is not enough," and they all agreed very attentively. They said: "Yes, it is indeed not enough and we have to learn. We have to learn our history, our people, our past." We have to start as of now to say thank you to those people who have made it possible that even our own kids can go around to school, learn in a free and democratic society.

Without further ado, as I've said, there would be many, many reasons to say yes, why we should be in support of this bill. I think it is a good thing to do it, to have a particular day to remember our heroes and those who fought for us so that we could enjoy our country free and strong. Therefore, I'm very pleased and proud to support the bill as it is presented.

*Interruption.*

**The Deputy Speaker (Mr Bert Johnson):** I would remind those in the gallery that our rules prohibit any demonstrations, and that includes applauding.

**Mr Wayne Wettlaufer (Kitchener):** I rise today in support of Bill 25, entitled An Act to provide for the Observance of Remembrance Day. I stand before you and

I am one with you in one of the truly great centres of democracy, our Legislature.

All too often we forget this simple fact. As members of the government or as members of the opposition, we tend to get tied up in the processes of our day-to-day functions. We tend to view the processes of this House in terms of how successful we are or were in obtaining our objectives and, in doing so, we sometimes forget that as members of the House we are all involved in democracy in action. We are involved in the processes of democracy.

I feel a great joy in being a member of this House. I have tremendous pride in being a member of the party that forms the government of Ontario. I want to say that I believe that the men and women in opposition work very hard at representing their constituents and it is their obvious hard work at putting forward their views in what they perceive as being in the best interests of their constituents that has earned them my begrudging respect.

I am raising this point because despite how much I or any other member of the government may disagree with the views of the opposition, or however they may disagree with our views, should the need ever arise, I would be among the first to defend their right to be here and to make their views known.

It is only a few short months ago that a truly momentous event occurred in the province, an election, a democratic election. The fact that our party won the election is secondary in importance to the fact that an election was held, that the people of this great province had the opportunity to cast their vote for the candidate of the party of their choice. It is this simple act of casting a vote in a multi-party duly constituted election and all that this act signifies which separates the democratic countries from the totalitarian countries throughout the world.

In this country and, in particular, in the province of Ontario, voting is such a simple process that we take it for granted. Voting in a free election without fear is a legacy which has been passed on to us from our parents, our grandparents and previous generations.

The simple act of voting is our right as members of a free democratic society. It is a right which has been given to us only by the blood, sweat and tears of hundreds of thousands of Canadians, and it is a right, a legacy which has been left to us by the tens of thousands of Canadians who made the ultimate sacrifice, the men and women who fought and died, who gave their lives to defend the principle of democracy, who gave up their lives in order that we may take part in the simple process of casting a vote, who gave up their lives in order that we could be here today in one of the true centres of democracy.

My election campaign had the theme, "for the love of our children." I am proud to say that teaching our children about the importance of democracy was also a major component of the campaign. I truly believe it is absolutely essential that our children be taught the harsh realities of the sacrifices of the history that paid for their right to be members of a democratic society.

This year marks the 50th anniversary of the end of the Second World War. I am proud to say that my father, Ken Wettlaufer, served overseas during the war and, like so many of his generation, my father proved through his

actions that he was willing to sacrifice his life to defend democracy. I thank God he didn't have to, but he was willing to in order to defend our freedom of choice, to defend our right to elect our government and for this I am truly thankful.

Like my colleague the member for Sarnia, I believe that the time has come to increase the level of understanding among our children and among those people who are new to our shores about the history of the sacrifice in blood that has paid for our democratic right. I agree with my colleague that Remembrance Day should be more than one minute of silence and that it should also be a day of thanks to those men and women who put their lives on the line in order that we can be here today.

While it is important that we look back at our history, I would like to point out that it is equally important that we recognize the contribution of the men and women who currently serve in the Canadian armed forces. It is these men and women who not only stand to defend this country, but who have made Canada the most respected peacekeeping force throughout the world. We must be vigilant in teaching our children the valuable service of these men and women.

I don't suggest that we should add to the burden of the costs of small business by adding one more paid holiday. What I do suggest is that we reconsider some of the statutory holidays that we have and perhaps replace one of the less important ones with a statutory Remembrance Day.

1020

**Mr Tony Ruprecht (Parkdale):** First, let me congratulate the member for Sarnia, Mr Boushy, who introduced Bill 25, An Act to provide for the Observance of Remembrance Day.

As far as I'm concerned, there cannot be a more significant act as to remember those who have fought for our way of life so that we today can have a semblance of freedom and democracy. All of us would agree that the torch of freedom must be and should be passed on from one generation to the next. What better way to do this than to observe a special day?

Of course, there will be those, as the member for Kitchener and the member for Sarnia have indicated, who will say that this special observance day which, as Mr Boushy pointed out, is not recognized only in Ontario and Quebec, will be somewhat costly. I think that objection may be overcome by various ways and means.

The other objection, of course, that may be raised would be that even if we declare this a statutory holiday, what guarantees do we have that the memory of those who fought for our way of life will be enhanced and preserved and that it will not, as in many other holidays, be just another indication of something that was happening in the past and will be quickly forgotten?

It seems to me that what we must do today is not only to remember those who have given their lives and who have fought without question so that our way can be maintained—democratic principles and a life of freedom—but it seems to me that there must be an infusion, if this day is to be observed, of a number of programs

that are tightly knit and sponsored either by private organizations or by a government agency so that indeed the memory of those who have lost their lives and fought for our way of life can be maintained. Simply to declare and observe a statutory holiday is not good enough.

I know that the member for Sarnia and all of us who are here today will be in favour of this observance. However, there is nothing in this bill that speaks to a program, a sense of action, a sense that there will be a memory maintained as opposed to simply another holiday that the family can take off and go to the cottage.

Look at any other statutory holidays. Without a mission statement, without a direct way to prod the memory of all of us to remember those who fought and died, without this kind of a program, another holiday is not all that appropriate. We therefore must ensure that along with this Bill 25, An Act to provide for the Observance of Remembrance Day, there comes a way of action from this government that we will remember this special day.

I am in favour, I'm sure most of us here are in favour, and the member for Sarnia does not have to quote members of the opposition to get support. He, as we all know sitting here, has only to convince his own party, which has a vast majority of members here and who can pass this act, who can pass this bill in a split second without any of us voting in favour.

I appreciate that the member for Sarnia has quoted our leader and other members across the province on the importance of this day, but I remind him that all he has to do is to speak to a few members of cabinet, maybe just one person who is already committed to this act, and it will be done.

Our worry of course has been, as I've indicated before, that along with this special observance and along with the passage of this act comes a special program so that all of us, children, homemakers, politicians, business people, will be drawn into remembering those who have fought without question and who have died in the trenches, whether that be the conflict of the First World War, the Second World War—whether those are conflicts within those countries that we fought against, because there too we have members who have given their lives for freedom, to destroy tyranny and dictatorship. That's why, I might add, we on this side of the House are so sensitive about your passing Bill 26.

Having said this, I know there will be certain questions, but I'm saying to you again, it is of utmost importance that everyone should remember what has taken place.

We can quote those who fell in the Korean conflict. There were 350 Canadians who gave their lives so that our men and women in arms would be supported and so that our way of life across the globe would be maintained.

There are conflicts today in Bosnia where Canadians have suffered and given their lives. There are conflicts right around the globe, and I'm sure that anyone who is only somewhat familiar with this bill on observance of Remembrance Day will certainly agree that it needs to be done.



Whether some people would like to remember solely those who fell in one war or another will be insignificant, because we know that all those who fought for freedom and lost their lives need remembrance so that our generation and the next generation and those who come after the next generation will maintain a sense that, yes, we have to give thanks to those who've given their lives for our freedom, for our democracy and so that we can speak freely in this Legislature.

So I talk to all my friends in Ontario when I say we will support this, certainly I will support this, but remember, in addition, it must be more than one minute of silence at noon when the guns salute those who have fallen. There must be a program. There must be a program in our schools so that the children will know that their way of life can be threatened at any time and so that our rights are being protected.

That is the essence of this legislation and that is the essence of what we stand for when we vote for this legislation.

**Mr Gary L. Leadston (Kitchener-Wilmot):** As we pass the 50th anniversary of the ending of the Second World War, the younger generation of Canadians are certainly forgetting the many soldiers who died for our country of Canada. In fact, I'm going to remind the members of the House and the people of Ontario that 68,300 Canadians died in the First World War, 46,542 died in the Second World War, and 314 died in the Korean war.

Over 115,000 soldiers died for Canada and democracy. The number of Canadians who died in the three wars is equivalent to the population of the city of Guelph and the town of Fergus combined. Think of that statistic.

I am speaking strongly in favour of the act proposed by the honourable member David Boushy, which will provide for the observance of Remembrance Day, because I believe that we need a permanent reminder to the people of Ontario to show respect for the veterans who fought and died in past wars.

Already government offices, banks, financial institutions are closed on Remembrance Day. I also believe that other businesses and non-essential institutions should also close. The closure of a business for one day is a very small price to pay compared to the ultimate sacrifice that our veterans paid in order that each one of us can live in a free and democratic society.

I would urge the members of this House to support this bill so that Remembrance Day can become more than one minute of silence.

1030

**Mr John Gerretsen (Kingston and The Islands):** I rise in support of this bill as well. I think it is a very significant act, and I would like to congratulate the member for Sarnia for bringing this forward. But as my colleague has said earlier, we need much more than this. We need the commitment from the government to actually make it happen.

I'm a newcomer like you to this particular House, and I'm not quite sure as to what the status of private members' bills are once they're passed, whether in effect it becomes a *fait accompli*, but we need much more than

this, and we need a government that is willing to look at not only the economic issues that we face here in Ontario—and I don't want to be partisan about this, but I find it somewhat ironic that this kind of a motion should come from a government that seems to equate everything to what's going on with the economics in this province.

But having said all that, I can't think of a better country than Canada. I know there are many members in this House who, like myself, were not born in this country, and I can't think of too many other places in this world where it would be possible for somebody who comes from another country, whether they're youngsters or in their teens or even older than that, to get the opportunity to serve at either the local level or at the provincial or the federal level.

I think we have an open society. People in this country are willing to accept people, for the most part, very quickly, and I think that one of the reasons why we have that country is for what the veterans have done from us.

I come from a community which has a strong military background. They have a strong military college, the Royal Military College, and also CFB Kingston, and I know that one of the extra special days for me, as both a local politician formerly and now as a provincial politician, is Remembrance Day, because not only do we get an opportunity to truly remember those people who fought for this country and fought for democracy, but it also gives me an opportunity to meet with many of the veterans at the various legion and air force and naval association events on that day.

As some of you may know, I was born in the Netherlands, and I think all of us remember the CBC programming that took place this May when literally for three or four days solid, for six hours a day, we were given sights of Holland and the festivities that took place there and the veterans and the manner in which they were being hailed by particularly the young people of that country.

What it indicated to me more than anything else was that all of the young people who were involved in those celebrations, even though they were in most cases two generations removed from people who have actually been involved in the war, knew about the war, knew about the contributions that the Canadian soldiers had made in the liberation of Holland, and so I think that's very important.

Why do they know that? Because they're taught that on a continuous basis in school, of the tremendous contributions that Canada made in the liberation of that part of Europe at the end of the Second World War.

I think that whatever we do, and I hope we do get this proclaimed as a national holiday and as a holiday here in Ontario officially, let us make sure that the educational programs as well in our schools continually remind our young people of the sacrifice that the soldiers have made for us, not only in the Second World War but in all the other conflicts throughout the world over the last 100 years.

I fully support the efforts of the member for Sarnia and I wish him well as undoubtedly this matter will be deliberated by cabinet as well.

**Mr Tony Silipo (Dovercourt):** I'm pleased to be able to rise and speak briefly on Bill 25 and, as others have said, to congratulate Mr Boushy, the member for Sarnia, for bringing this bill before us. I will support this bill, as I hope others will as well, although I do have some concerns that I want to put before the Legislature. They're not dissimilar from the concerns that I've heard from other members who've spoken so far on this.

I think it's more than appropriate, as I believe is the intent of the bill and Mr Boushy in bringing this forward, that we continue to enhance the ways in which we commemorate Remembrance Day. I certainly take the intent of this bill in making, were this bill to become law, Remembrance Day a school holiday for the purposes of the Education Act and a public holiday for the purposes of the Employment Standards Act, to mean that we would want to add to the sense of understanding that there is already now about Remembrance Day and the sense of remembering the sacrifices that many people have made for this country and throughout the world to fight for the basic principles of freedom and democracy that we now today hold so dearly.

For all of those reasons that I know members have talked about and many people across this province feel strongly about, as do I, it is incumbent upon us that we continue to remember, particularly as we seem to be getting in time further and further away from the great conflicts that led to the establishment initially of Remembrance Day, but knowing that in fact there is still a lot of conflict across the world and that it is important therefore for us to remember, in all ways that we can, the contribution that the many men and women who have died in the many wars have made towards the pursuit of freedom and the pursuit of democratic principles.

I think for those reasons it is incumbent upon us to continue to support initiatives that allow us to focus, at least on that one day of the year, on remembering that and ensuring that we dedicate ourselves and rededicate ourselves to not pursuing solutions through war.

It is in that same context that I have one concern that I want to put before the Legislature, and it will not deter me from supporting this bill, because I think the issues, as I say, are important, but if this bill passes, before it becomes law there are ways of addressing that and I would be looking certainly to the Minister of Education and Training to provide some discussion and some leadership on this issue, and that is the part that relates to schools and the school holidays.

I'm sure, as members might know, that the change that I believe reversed, if I'm remembering correctly, and that made Remembrance Day not to be a school holiday was done purposefully to ensure that there was a focus in our schools, not just on Remembrance Day but around that time of the year, so that our young people would appreciate and understand the importance of Remembrance Day. I think it would be quite important that that not only not be lost but particularly if Remembrance Day were to now be a school holiday, that somehow that also continued to be a focus. It is one thing when schools are open on that day and children and students can participate, as they do now, in various events in the schools as well as in the

community at large that aim to remember. It would be a little bit more difficult for that to be done within the school context, certainly on Remembrance Day, were it to be a school holiday, but it is not impossible, and I think that it is yet an issue that has to be addressed and should be looked at.

On the spirit of it, certainly I would support this bill, and I think it's timely, but with that one strong urging if this is going to go anywhere beyond the expression of this House in giving its support, that that is a concern I believe needs to be addressed. I see the member for Sarnia nodding and I appreciate his understanding for that notion and that concept to have to be looked at as well.

**1040**

**Mr Peter Kormos (Welland-Thorold):** I too am quite frankly proud and pleased to stand and speak in support of this private member's bill. The member for Sarnia does credit to his constituents and to the people of not only his community but across the province in bringing forward this issue.

This November 11 past fell on a Saturday, on a weekend date, but the fact is that more often than not, November 11 is during a weekday. What that means is that legions in the largest part but other groups as well in our community who take on to themselves the responsibility for organizing the special event of remembrance and celebration of courage are forced to do it on a day other than November 11 itself. These are entirely appropriate but, quite frankly, it loses some of the poignancy, to think of the 11th hour of the 11th day of the 11th month.

I think this is a most fitting bit of legislation. I've been honoured, as you have in your own community and as Mr Boushy undoubtedly has in his, to have been able to participate in these very important days of remembrance and also days of celebration. These are days of celebration of the courage and commitment of women and men who have served this country, who have served humankind in the best tradition of concern about the state of humanity.

Don't forget that inevitably the people who gave their lives, the people who paid the supreme sacrifice in these wars and conflicts were never the old; it was the young, the youngest of our community, just as it's the youngest now who serve the world in their role, a very noble role and one that's increasingly recognized, as members of our armed forces in various peacekeeping activities, who will be called upon as we know, as they're being called upon now, to engage in policing activities in Europe, and as I say, still with the very real risk of paying that ultimate price.

I can't help but reflect, having read this short but important bill, on the fact, and I mention this every occasion on Remembrance Day in Welland-Thorold and in Port Robinson and on Decoration Day when similar ceremonies are conducted, that as the veterans of these two great world wars and the Korean War and, yes, veterans of the war in Vietnam—Canadians served there and gave their lives. As these veterans get older and older, there are fewer legionnaires in attendance at these ceremonies.



It's with pride in my communities, and I'm sure that's not unique to Welland-Thorold but across the province, that it's young people, young women and men who are active members of the various cadet movements, young women and men who are participants in the scouting and girl guide movements who very much participate as fresh young blood in these ceremonies of remembrance and celebrations of courage. I've been pleased to be able to commend them year after year as the number of aging veterans is reduced.

I reflected today on a good comrade of the Welland branch of the legion, Jules Beauchamp, who died just a short time ago. As Jules got older and older, he found it more and more difficult to participate in the actual parading, but he would always be there with his wife at his side, helping a little bit as he hobbled along with his cane.

To his very final days, Jules, as a very important member of our community, a veteran of the Second World War, active in some of the most incredible and dangerous and tragic conflicts during the invasion of Europe, never forgot. Jules remembered. He remembered the sacrifice of his young comrades during that war and he never lost the gratitude for the fact that he was able to come back.

I knew Jules Beauchamp, knew him well and loved him, as his family did and as other members of the community did. I knew him as a mature man and then as he got older as an old man, but let's not forget that Jules Beauchamp, like his comrades when they were in Europe, liberating Europe, were but young men. They were teenagers. Most of them had no need for their shaving kits.

Let's not forget that in 1945 the population of this country was but 10 million people. The whole country of Canada had a smaller population than the province of Ontario alone today. From that 10 million came young women and men who were the best, the bravest and the most capable, and yes, far too many of them didn't return to their farms, to their parents' homes, to the workplaces that they left.

I'm pleased to see this legislation. I think it's important that we mark Remembrance Day with something that is significant by way of a statutory holiday, with the hope that this won't be regarded as an opportunity, oh, for a long weekend or an opportunity to spend another day wherever it is one might spend it at the beginning of November, but to spend that day in one's community and hopefully at the cenotaph that is there in every community in this province, the monuments to the courage and sacrifice of those young women and men from the world wars and from the conflicts, and from the peacekeeping endeavours that Canada has participated in through the United Nations, that people will take advantage of this respite from their labours, yes, to remember, yes, to mourn, and yes, to celebrate that incredible Canadian spirit that was developed during the bloodiest, most treacherous and inhuman of exercises, and not only to reflect on that but to make their appreciation, to make their cognizance of this great sacrifice known by their presence in those parades of aging legionnaires, and of young and healthy members of the current armed forces

and of the cadet movements and of the girl guide and scouting movements, to march with those people and by their presence at those cenotaphs to make the comment that we will never forget, but also because of course it's important that the reason for not forgetting is so that history won't repeat itself.

As well as celebrating the courage and mourning the sacrifice, we have to reconfirm our commitment to avoiding the incredible tragedy, the beyond tragic, the inhuman phenomenon of the Holocaust, the inhuman phenomenon of the terror of fascism through Europe and through the Far East and the toll that took on not just the generation that suffered under the jackboots of those totalitarian forces, but the toll it's taken on their children, their grandchildren and their great-grandchildren, because the inhumanity of those fascist exercises wasn't eliminated at the time of liberation either in Europe or in the Far East; the inhumanity persists with us today.

To remember, to mourn, to celebrate, but to make a commitment to maintaining peace, to avoiding the bloodshed and the barbarism of war, to ensuring that we talk about things, to reconfirming our commitment to a United Nations, albeit imperfect, far superior to any of the alternatives; to be able to negotiate and talk and to understand that peace doesn't just mean an absence of war, that peace means equality and peace means economic justice, because the tragedy of hunger and starvation, the tragedy of deprivation, is surely as great as the tragedy of bombs and flames.

1050

**Mr John O'Toole (Durham East):** It's a pleasure to rise today and respond to the private member's bill from the member for Sarnia. We each, I'm sure, in this House would pause with the greatest respect for those who have given indeed the ultimate gift; more specifically, on the special occasion of the 50th anniversary of the liberation of Europe. It's also a reminder at this time as our troops from Canada move to Bosnia in the new role of peacekeeper and police. Canadians have been held in high esteem for their work in providing peace around the world, starting with Lester B. Pearson.

I'm also proud to make the contribution as my son is a member of the Canadian armed services.

There's another side to this issue which I need to address: Do we need another holiday? I'd like to remind members when they cast their vote, is it not more appropriate to stop, to think and to remember those who gave the greatest gift?

**Mr Bill Murdoch (Grey-Owen Sound):** It's my pleasure to stand here and, first of all, congratulate the member for Sarnia on introducing this bill. It certainly is an important bill. I'd also like to congratulate the members in the House for, in most ways, agreeing with this bill.

I am a bit appalled and dismayed that some of the members, especially from Parkdale and Kingston and The Islands, would take this opportunity to criticize the government on other bills. There is time for that at different times in this House. I am a little appalled that they would do this on such an important issue as this. I

guess they don't have confidence in themselves to be able to do this at other times, so they chose this time in the House to do this.

I'm also honoured to tell the House that I am a member of the Royal Canadian Legion, Branch 6 in Owen Sound, and this year when we paraded on November 11, probably one of the worst days we've had that I've ever paraded in weatherwise, we had more people out this year than we've ever had; one of the best parades we've ever had. I can remember that I was soaked right to the skin, as most of the other people were, but nevertheless the parade took place and people remembered, the people who showed up, and a lot of people showed up this year, and that's great. But does that go far enough? I'm not sure. Most people who work for government now have the day off, so it wouldn't be that big a thing to go on and make it a public holiday.

I'm going to support this bill and again I want to congratulate the member for Sarnia on bringing it to the House.

**Mr Frank Klees (York-Mackenzie):** I'm pleased to rise in support of this bill. I'm an immigrant to this country. Some years ago my parents decided that we would come to this country, and the reason for that choice, I suggest, through discussions with my parents, was that fundamentally this country was seen as a place where there would be freedom, where there would be peace and where people would be able to live knowing that the democratic rights that the men and women of this country fought for over the years would be preserved.

I'm indebted to my parents for having made that decision. I'm honoured to serve in this House as someone who wasn't born in this country, and perhaps the reason I feel such passion for the democratic process is because it was a choice my family made to be here.

I will speak very strongly in favour of supporting this bill, but I'd also like to go one step farther. I would like to suggest that what's at stake here is not that we have another holiday, but that we would take the time throughout the course of that day and truly remember why we're setting aside the time we've chosen to set aside, and that it wouldn't just simply become another day, as many other holidays become, to forget the spirit and the intent of that day.

I'd also like to take this opportunity to suggest that in this country, and in this province specifically, we urge our Minister of Education and Training to put some thought into ensuring that our young people, as they come through our educational system, are made aware of the heritage of our country and of this province, and that the young people in our province, particularly on Remembrance Day, know why we've taken the time to celebrate, to observe, and that the young people in this province have a true and sincere understanding of the importance of democracy, of what democracy has cost and the lives that have been laid down to preserve it.

**Mr E.J. Douglas Rollins (Quinte):** It gives me great honour to rise in support of this private member's bill. I'm fortunate to have in Trenton one of the largest armed forces positions there is, not just in Ontario but in Canada. Since I'm new to government, this year was one

of the first times I have taken the time to go to that monument, to lay that wreath. We had some 1,500 people stand out in the pouring rain with no umbrellas, because those people of Trenton don't believe in umbrellas. We all got wet.

We've got to make sure that the people who now are growing old tell those stories, put them in records, so that two or three generations from now our people who are away from the ability to have touched people who have been touched by that war and that disaster—we need to have those stories in the records to make sure our future generations understand and still remember the great sacrifice those men and women made.

**Mr Boushy:** I'm the type of person who believes, as I indicated earlier, that cooperation is essential in our democratic society. I want to thank my fellow colleagues from both sides of the House for their support. It is very important to me and my riding that this be a unanimous vote in the House.

In regard to some concerns, I'd like to point out to my fellow colleagues that this is going to a committee to go over the concerns. I'll be very happy to bring up all the concerns they have regarding a definite program for the schools in our communities as well as the need for another holiday. Perhaps we can come up with a plan for replacing another holiday. I'm very pleased with the support, and thank you very much.

1100

#### LEGISLATIVE ASSEMBLY OATH OF ALLEGIANCE ACT, 1995

#### LOI DE 1995 SUR LE SERMENT D'ALLÉGEANCE DES DÉPUTÉS À L'ASSEMBLÉE LÉGISLATIVE

Mr Agostino moved second reading of the following bill:

Bill 22, An Act to provide for an Oath of Allegiance for the Members of the Legislative Assembly / Projet de loi 22, Loi prévoyant le serment d'allégeance pour les députés à l'Assemblée législative.

**Mr Dominic Agostino (Hamilton East):** First of all, I'd like to thank the members on all sides of the House for the interest and the number of calls from people who have taken the opportunity to speak to me about this bill and to clearly understand what the bill is today and what the intent of this bill is, and I appreciate that.

If this bill is approved today by my colleagues in the Legislature, it would require elected members of the House to swear allegiance to both the Queen and to our country, Canada. We'd become the first Legislature in Canada to have such an oath of allegiance to Canada.

I would like to give some background about the oath and the historic significance to this House and to this country. The first mention of an oath in Canada dates back to 1774 in the Quebec Act. As some members may be aware, there was no legislature in British North America at that time. All legislation pertaining to what is currently Ontario was passed in Westminster.

However, public officials took an oath at that time which read as follows:

"I do sincerely promise and swear that I will be faithful and bear true allegiance to His Majesty King



George, and him will defend to the utmost of my power against all traitorous conspiracies and attempts whatsoever which shall be made against his person...and I will do my most to endeavour."

In 1791 the first Legislature was created in Upper Canada and Lower Canada. At that time, the members of the House took an oath which was identical to the oath of allegiance that members of the British Parliament still take today. It reads:

"Do you swear by Almighty God that you will be faithful and bear true allegiance to Her Majesty Queen Elizabeth II, her heirs and successors according to law?"

In 1867, with the passing of the British North America Act, the oath of office which we take today came into effect. In the 128 years since, this oath has not changed. Even in 1982, when the Constitution was patriated, the oath remained the same.

That it has not changed in 128 years is a very powerful message. This original oath has deep-rooted meaning and tradition to me. And I want to reassure members of this House that the passing of this additional oath today will not in any way, shape or form alter the original oath to Her Majesty Queen Elizabeth II which has been prescribed in the Constitution and which this Parliament does not have the power to change whatsoever. What we have the power to do is add a second oath to it which would be the oath to Canada.

What I'm proposing today, in my view, will make a change for the better. We can build on this very powerful tradition, heritage of this country with a stronger oath that not only captures our history, our roots in this country, our traditions, but also reflects the realities of today.

A couple of days ago, the Solicitor General announced in this House a bill that would allow police officers now the option to swear allegiance both to Her Majesty Queen Elizabeth II and to Canada.

What we are doing today is basically making the same requirement to members of this Legislature. That oath will allow members of this House to swear the original constitutionally prescribed oath and make it mandatory that we also take a second oath to Canada.

I'll read what this new oath combined that we will all take would read:

"I, (member's name), do swear that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth II, her heirs and successors according to law. So help me God."

We would then add a second part:

"I, (full name of member), do swear (or solemnly affirm) that I will be loyal and bear true allegiance to Canada and that I will perform the duties of a member honestly and justly, in conformity with the Constitution of Canada."

As you can see, Bill 22 will not eliminate the oath of allegiance to the Queen. The oath as prescribed by the Constitution, as I've said earlier, we do not have the power or authority or, I believe, the right to change. However, we have the right and the power and the authority to add a second oath to it.

I came to Canada when I was nine years old. My parents, fortunately, chose Canada as a country where they were going to raise their family and try to make a better life for themselves. I'm very proud of this country. I'm very proud of the opportunity that Canada has given myself and millions of other immigrants over the years, people who came to Canada simply with a hope for a better life and came to a country that gave them that hope, that with hard work, with commitment, with dedication, we can succeed and you can make a better life for yourself.

I'm very proud to be living in the best country in the world, and it is a country where people line up daily to try to get into, and it is a country I know we're all very proud of.

I think it is important for us as Canadians to start speaking out more proudly, more openly, about our country. We shouldn't be afraid to use the word "Canada." We shouldn't be afraid to tell the world how proud we are of this country of ours, how proud we are of living in the best country in the world.

It is time for us as Canadians to start waving the flag a little higher and say "Canada" a little louder so people around the world continue to hear our message and hear our message about this great country of ours.

I remember my frustration last June when I could not take an oath of allegiance to Canada. It's bizarre that if a member today in this Legislature chooses on top of the original oath to swear allegiance to Canada, he cannot take his seat in the Legislature. I can tell you that in most other countries around the world, elected officials would be barred from holding office if they did not swear allegiance to the country which they're serving in.

In Ontario, if you choose to swear allegiance to Canada you cannot sit in the Legislature of this province.

When I was in Montreal with the unity rally I was amazed, and with great pride, at the hundreds of thousands of Canadians who had taken the time to speak out for Canada, and at the people of my riding who boarded buses at 3 o'clock in the morning to be in Montreal, along with people from every riding across this province and across this country. I was amazed at the people who stood beside me who had travelled from the Yukon to be in Montreal that day, to do their part to keep Canada together. It was amazing to see thousands of Canadians who spent sleepless nights and dozens of hours to be there and to say to Quebec, to Canada and to the world how proud we are of our country and that, yes, Canadians are willing to make a personal sacrifice on behalf of this wonderful country of ours. It is a very powerful message and a message that should not be lost on us.

In our country's history, it was never more important than today that as leaders in our communities we stand up and speak about our patriotism, our allegiance and our love for Canada. I feel that as leaders in our communities, when taking the oath of office we should state how proud we are to live and serve in this country.

The Premier is on record in June of last year of supporting a change that would include Canada in the oath of allegiance. Yesterday morning the Solicitor

General—on radio 640, Roy Green—stated he would support this bill and the change that would add the oath of allegiance to Canada to the current oath which we now have. We can make history. We can be the first legislative body in Canada whose members take an oath of allegiance not only to Her Majesty the Queen but also to our country, Canada.

I have been extremely encouraged by the phone calls, the letters, the emotions that Ontarians and Canadians have expressed to me over this issue. I received letters from people right across this province. I received calls from right across this country.

My friend the member for Sarnia, in the previous motion, moved a very important bill in regard to the recognition of our war veterans in this country. Some of the most moving calls that I received over this issue and in June over the oath issue were from veterans, people who fought on behalf of this country. A gentleman, 80 years old, who called me from Saskatoon in tears, emotional about Canada, told me how important it was to him that we as Canadians start reflecting more proudly, speaking about our country, and that our institutions must start to reflect that.

I do not want to take anything away from tradition and heritage of this country, a tradition and heritage that made us the country we are today. The role of the Queen, the heritage, is extremely important to us. It is important to me because, as someone who came from another country and was allowed to maintain his heritage, his background, his culture, I very much appreciate the heritage, the culture and the history of this wonderful country of ours, and I want to maintain that. But I also want to strengthen it with the realities of Canada in 1995 and to the year 2000. That reality is that we have a different country and that the oath should reflect the changing of Canada. I urge my colleagues in the House today from a basis a unity, of goodwill, of what I believe is a move that is positive for all of us to support this bill and ensure that the next Legislature of this province not only swears allegiance to the Queen but also swears allegiance to Canada.

1110

**Mr Tony Silipo (Dovercourt):** I am pleased to rise today and indicate my support for this bill presented to us today by the member for Hamilton East. I want to stress a couple of things in indicating my support and in urging members of the assembly to support this bill, and those are points that certainly the member for Hamilton East has already made but I think bear underscoring.

The first is that this bill, in proposing that members of the assembly swear an oath to Canada and to the Constitution of Canada, does not replace the existing oath; in fact, it is added to the existing oath. That's important because I think the discussion around whether the existing oath should be replaced is really another discussion.

I think again—and this is the second point—as the member himself pointed out, it really is not even within the purview of this Parliament to change the existing oath, but it is certainly within the purview of this Parliament to add the oath that is being proposed today.

But the essential point there is that we, therefore, can do something which I think is quite significant, which is to indicate as members of the Legislative Assembly our allegiance and our loyalty to Canada as a country and to the Constitution of Canada without in any way taking away from the whole other debate that comes around the issue of allegiance to Her Majesty Queen Elizabeth II.

Whatever my views may be on that score in terms of the oath of allegiance that exists now to the Queen, I have to say that I understand and am quite respectful of the traditions that have been built up over the years that go back to the roots of this country and I actually am appreciative of the fact that we don't have to get, in dealing with this bill, into a debate about whether the existing oath should continue. It does continue and in fact it will continue until the Parliament of Canada decides otherwise.

So my only admonition, if you will, is that I certainly know the member for Hamilton East as someone who is quite colourful in the way in which he brings issues to the Legislature and I think we all recall when he brought this issue to the fore at the time that he went to take the oath, and I have no problems whatsoever with that. I think that it is within the realm of creativity of every member of this Legislature to bring issues that they believe are important to the public's attention, and so I took that, and take that even today, upon reflection, as the approach that the member for Hamilton East chose to bring this issue to the public's attention.

I was a little bit perplexed, I have to say, however, at the actions of another parliamentarian, not of this House but of the Parliament of Canada, indeed someone who holds one of the highest offices in this land, that of Deputy Prime Minister, being involved in that demonstration, because she of all people, as someone who has taken that oath by virtue of being a member of the House of Commons many a time, should have realized that it was in fact the Parliament of Canada that has jurisdiction to deal with the existing oath. So I found it a bit perplexing that she would choose the Parliament of Ontario as the place to make a statement about the appropriateness or not of the existing oath rather than the Parliament of Canada.

But coming back to this point, I do appreciate, the theatrics aside, the member for Hamilton East bringing this issue before the House. I hope that it will meet with the support of this Legislature. I know that there may be some members who may have some concerns about, does this take away from the existing oath, and I think it's quite important to continue to stress that it does not. If this were to become law, we would be continuing to take and to swear the oath of allegiance to Her Majesty Queen Elizabeth II and, in addition to that, we would be swearing an oath or an affirmation of loyalty and allegiance to • Canada and to the Constitution of Canada.

I just want to conclude by stressing those two latter points. Again as the member for Hamilton East has indicated, we tend, as Canadians, to be somewhat hesitant to use the term "Canada" to voice our allegiance to Canada as a country, and I think we should try to shed some of that hesitation, some of that quietness sometimes



that seems to be prevalent. I think that it's important also in this small way for members of this Legislative Assembly to be able to swear allegiance to Canada and to the Constitution of Canada.

Certainly, at this time in the history of this country, when the future of the country continues to be under some doubt, I think this is but another small way for us as parliamentarians to say that we think Canada is not only worth maintaining as a country but is something we would have no hesitation in making part of the oath of office we would take. It's in that spirit that I see the bill that's in front of us from the member for Hamilton East. I certainly am appreciative of the fact that he's brought this issue forward, and I intend to support it and urge members to do likewise.

**Mrs Julia Munro (Durham-York):** I rise to join the debate on An Act to provide for an Oath of Allegiance for the Members of the Legislative Assembly by the member for Hamilton East.

In his letter to me of November 17, the member explained he had tabled this bill "not to discount the importance of an oath to the monarchy, but simply to ensure that members who serve the province of Ontario also pledge allegiance to Canada. There has never been a more important time in our history when our nation's leaders should stand up and pledge their patriotism and allegiance to Canada."

But the present oath required by the Constitution already provides that members of legislative assemblies take an oath to the legal embodiment of our country, which, as the Constitution defines, is in fact Her Majesty the Queen.

It is the office of the Queen to be the embodiment of the Canadian state and also the embodiment of the province of Ontario, and therefore to be the focus of allegiance. This office, being a part of the Constitution of Canada, cannot unilaterally be changed by a province. Therefore, this bill by the member for Hamilton East would be a defiance of our Constitution since it would deny the Queen her office.

The bill also quite wrongly assumes that taking an oath to the Queen of Canada is not at the same time taking an oath to our country. It is the Canadian law and tradition to personify the country through our Queen, who is a living person. This reaffirms that in this country and province, government is about relationships between people, not abstractions.

As the Canadian philosopher John Farthing once noted, there is a danger in depersonalizing our country. He said: "How seldom we now hear our leaders speak of the Canadian people—the term has almost lapsed into disuse—but only and always of Canada, which is every day shedding more of its essentially human qualities to become the ever more pure abstraction of a physical environment."

The problem with taking an oath directly to one's country is knowing exactly what one is swearing to. What constitutes one's country? Is it the rocks and trees? Is it the land itself? Is it the people? Or is it the government or someone else's vision, which we may or may not believe in?

When we swear to the Queen of Canada we know exactly who we are swearing to: the person in our Constitution who is the source of legal authority in Canada. If we swear to "Canada" undefined, we are most likely swearing to some idea in our own minds.

Oaths, however, have to be legally enforceable. They cannot be enforceable if they are made to vague and undefined abstractions or, even worse, in such a situation their enforcement would restrict legitimate freedom. For example, new Canadians coming from less democratic countries are likely to interpret an oath to an undefined Canada as an oath to the government of the day.

Furthermore, almost no country in the world has oaths to the country directly. Republics for the most part require an oath be made to the Constitution, because the Constitution is at least definable in law. Monarchies like Spain and Thailand have oaths to the King. Some countries require no oath or declaration at all from prospective citizens. Since the time of the French Revolution, France has had two kingdoms, two empires and five republics. Presumably, there is not sufficient agreement about what should be in such an oath for it to have had an oath of any kind.

Oaths are legally binding commitments, with punishments for failure to live up to them. They should therefore be precise and limited. Our current oath of office for members meets this test. Loyalty is to the personification of the state, to the Queen, who has herself previously taken an oath to govern the people properly.

Oaths to the country or to presumed social values are in fact attempts to impose ideological uniformity on Canadians and a real threat to human rights and freedoms, as such oaths have turned out to be in other countries around the globe. Canadian oaths of loyalty, however, are reciprocal. We take an oath to the Queen because she has taken an oath to us.

Under the terms of this bill, a foreign, one-way oath would be imposed on members of this Legislature. Except through the Queen, Canada is not a living person who can take an oath to us in return.

The question must be asked whether this bill by the member for Hamilton East is the beginning of an introduction of a republican-style national ideology. People who want such an ideology for Canada do not like the Queen, because she gets in the way by always bringing back to us the realization that Canada is not a collective entity but just millions of individual people with a history of living together in communities.

Official national ideologies are foreign to the Canadian experience, and they are indeed undesirable. Whenever they have prevailed in this century, it has been at a terrible cost, because such ideologies do not tolerate minority views. Such national ideologies are insatiable. They require an enemy, such as an imagined foreign, ethnic or racial threat to feed their fires.

Canadians do love their country and are proud of the many diverse cultural groups that go to make up our unique mosaic. It is the crown that binds us together as a nation, personifies our values and country, and protects our cultural, religious and political rights. Under a

national ideology, such tolerance and the development of multiculturalism, as it has in Canada, would have been impossible.

How is Canadian unity served by this bill? Does the member for Hamilton East honestly believe that Canada will be inspired not to separate through an additional oath to Canada? Will leading Quebecers ever take an oath to Canada? They will not, since "Canada" for them means English Canada. But they will take and have taken an oath to the Queen of Canada.

René Lévesque often remarked that the crown is the one institution in Canada that has protected French language, culture and legal institutions from assimilation by English Canada, and that that was why, as long as Quebec remained a part of Canada, he would continue to swear allegiance to the Queen.

It is clear that Canadians must build on the unity they have already from the basis of the Queen, which we often tend to overlook as our best guarantor not only of our laws and freedoms but also of our unity as a nation. The Queen is not only the personification of the Dominion of Canada but also the personification of the province of Ontario. As the great Liberal Senator Eugene Forsey explained, in Canada there is only one authority, the Queen, manifested through 11 governments.

This is distinctive to Canadian federalism. In the United States, the President is only head of the central government, the governors are heads of the states, and there is no uniting authority. When we take an oath to the Queen, we are taking an oath to Her Majesty in her federal and provincial realms and reaffirming the essential unity of the two.

If we were to separate the Queen and Canada, as this proposed bill would do, we would also be separating Canada and Ontario, and Canada and Quebec, for the Queen is the only institution who is both federal and provincial at the same time. If there were an oath to Canada, would we not also need a separate oath to Ontario, as this is a provincial Parliament? These divisions would certainly give comfort to separatists.

Perhaps if the member for Hamilton East had read the recent study by a Canadian political scientist entitled *The Invisible Crown*, he would not be bringing forward this bill today.

This proposed additional oath would also be open to legal challenges. The Constitution establishes the conditions under which a person may sit as a member of this House. Can this House unilaterally establish additional conditions? Could a person who took the required constitutional oath be refused his or her seat? I think not.

By imposing two oaths, the member for Hamilton East is certainly calling the oath to the Queen into doubt as an oath to the country. If that is so, he and other members of his party should consider this: This bill proposes to sacrifice Canadian traditions and political culture, the Canadian Constitution, Canadian unity and Canadian freedoms to a public relations proclamation. This is unacceptable and I cannot support it.

This bill does highlight a problem, but it is not the one the member for Hamilton East suggests. The current oath

is not the problem, nor are our Canadian institutions. Our problem is that successive governments have not explained our existing institutions that serve us so well.

The solution is to ensure that all Ontarians understand that the current oath to the Queen is also, through Her Majesty's coronation oath, an oath to the people of Ontario on behalf of the Queen. I therefore propose a possible preamble to be read in public by the Clerk of the Assembly to members of the Legislative Assembly before they take the constitutional oath required of them, as follows:

"Her Majesty the Queen is the embodiment of the sovereign authority of Canada and Ontario. At her coronation Her Majesty took an oath to govern the people of Canada according to their laws and customs and to cause law and justice, in mercy, to be executed in all her judgements. You are now asked to take the oath of allegiance by which you will be binding yourself to Her Majesty's oath to the Canadian people and, through Her Majesty, committing yourself to serve the people of Ontario."

**Mr Dwight Duncan (Windsor-Walkerville):** I rise in support of my colleague from Hamilton East—

**Mr Bill Murdoch (Grey-Owen Sound):** Surprise, surprise.

**Mr Duncan:** —and I rise in a non-partisan fashion.

**Mr John R. Baird (Nepean):** As you always do.

**Mr Duncan:** Listen, some of us take this very seriously.

I recognize the significance of his bill. When I took my oath, I swore allegiance to the Queen, and I was proud to do so and I have no qualms about doing so. But I would like to swear an allegiance to my country. My country is very well defined for me. I understand my country. The wording that's been proposed in the bill simply allows us as members of a Legislature, upon taking office, to further our obligation and further our commitment to this country.

Nous sommes ici dans cette Chambre et nous comprenons que le pays du Canada est un grand pays et nous voulons faire une obligation à notre pays et à nos citoyens. Moi, je suis fier de soutenir mon collègue de Hamilton East and say that I am prepared to honour our traditional oath and our constitutional and political heritage, as well as recognize our country.

We should approach this not in a partisan fashion but as one small step in furthering our country at what is obviously a difficult crossroads in her history, standing up as elected members in this House, representatives of our home communities, and saying that this bill deserves to be passed, deserves to be recognized. Our oath of office, while reflecting our traditions, should reflect our country.

I'm proud of the way my colleague has raised this issue. Like him, I come from immigrant stock, although I'm not a first-generation Canadian, and I'm proud and would be proud to be able to swear the additional allegiance to our country.



1130

**Mr Peter Kormos (Welland-Thorold):** It's interesting that this bill is juxtaposed to the one we debated earlier this morning, because of course we talked earlier about veterans, the young women and men who fought so bravely in the two world wars, in the Korean war and in other conflicts, and they of course were part of Her Majesty's or His Majesty's forces, had no qualms and were proud to be.

I've got to tell you, Speaker, I'm troubled by this bill. I truly am. I listened carefully to Ms Munro from Durham-York. I think I understand her analysis and, quite frankly, believing that, I tend to concur. We have tended to personalize the monarchy, and not that the monarchy is impersonal, but by the process of—I suppose it's the phenomenon of postwar, post-1950s certainly, media intervention and exposure to the individuals and again the sort of bent that's developed in England and in North America.

But there's a failure here to understand, in my view, that the Queen is the head of state, as distinct from the head of government. I think that's a very important part of our democratic political life and institutions. It certainly distinguishes us from republican communities, where the two are merged. And to maintain that distinction, I submit, is very, very important.

I hope this doesn't surprise you and I hope it doesn't offend those people when I mention it, but I was very honoured—as a matter of fact, it was along with Bill Vankoughnet from Frontenac-Addington—that I received an honorary membership in the Monarchist League of Canada. I accepted that gratefully and I value that very much.

I think this bill is not particularly well thought out. Comment has been made already on what it means to bear allegiance to Canada as distinct from, for instance, to commit oneself to a unified and maintaining a united Canada.

Canada is growing. It's a very young country, but we've seen in the course of its 125-plus years that Canada has changed dramatically in terms of what territories constitute Canada. We certainly don't want to see the country diminished in any way. We certainly don't want to see it lose any of its parts, any of that mosaic that makes a strong, united country.

I want to tell you clearly that when I swear allegiance to the Queen—and I'm pleased at the Solicitor General's announcement this week about returning that oath of allegiance for police officers—I understand that the Queen is the head of state of Canada and that it's inherent in doing that that I'm swearing allegiance to the Constitution of my country, to the unity of Canada, in my mind. At the same time, unfortunately and sadly, there are a whole lot of—yes—Canadians who do not understand the role of the monarch in our constitutional monarchy and the important role that the monarch, she or he—she at present—plays in the workings of democratic institutions.

So I'm going to say this, and I know that I'm liable to be criticized, but that's nothing new: I'll be more than pleased to hear from members of the Monarchist League, because I feel at this point on second reading to support

in principle this bill, having made clear that I regard it to be redundant. I know that this government would want this bill to go into committee, this government would want this bill to be discussed by all members of the community, and Mr Agostino should be given the opportunity to justify the need for an oath to Canada and why in fact that would be needed when there's already an oath to the Queen.

As a monarchist, as somebody who I believe understands the role of the monarchy, I think the oath to the Queen is important in our lives. Similarly, this warrants debate. Although not overly comfortable with it, I will support it because I would very much like to see that debate continue.

**Mr Baird:** I am pleased to rise today to speak to my colleague from Hamilton East's private member's bill. I would like to raise a number of concerns with the bill that Ontarians have shared with me, especially members of loyal societies such as the Monarchist League of Canada who are dedicated to promoting public awareness about the contemporary role of the crown and constitutional monarchy in our society. One such concern is that the proposed bill before us this morning is an attempt to bring in republicanism by the back door.

It is important to note that the current oath of office for members of the Legislative Assembly is already an oath to Canada, as legally defined and provided for in the Constitution of Canada, where the Queen is defined as the only legal embodiment of Canada, as our country's head of state.

Although my friend from Hamilton East states that his proposed bill is not a challenge to the role of the Queen in our society, in pith and substance it does represent such a challenge. The only justification for taking an additional oath is to ensure that the second oath deals with matters that are not touched on by the first one. It is clear that the intent of this proposed bill is to call into question that an oath to the Queen of Canada is at the same time an oath to the people and country of Canada.

But it has also been the historic Canadian practice to personify the country and province through the Queen to emphasize that government is about people and the relationships between people. To alter this long-standing aspect of Canadian life would be to undermine the distinct Canadian identity in North America.

In addition, another important concern is that an oath of office is a legally binding oath for members of the Legislative Assembly. The focus of our allegiance must therefore be definable under the law. This is why the republican oaths of allegiance are directed to their constitutions or another symbol which mediates the concept of national loyalty in a concrete fashion. The Liberal private member's bill represents a subtle form of republicanism.

It comes as no surprise given the current situation with the federal Liberal government and proposed changes to the Canadian Citizenship Act which cause a number of us great concern. This new republican declaration proposed by the Liberal minister Sergio Marchi in fact contains no reference to the Queen, and although the Chrétien government has not officially sanctioned any new citizen-

ship oath, it will soon announce a decision. We sincerely hope that decision will include maintaining the monarchy in that oath.

Recently, the federal Liberal government announced a new coat of arms, changing it without even any consultation to both the Parliament and the people of Canada, and that caused great concern to many of my constituency.

Changing the oath of allegiance to downplay the monarchy will not change the political course of Quebec separatism, which is, I suppose, an honourable goal.

I speak for many Ontarians when I say that I will not support this proposed bill which goes counter to the best established traditions of this House, of the province, and of this Dominion. God save the Queen.

**Mr Bernard Grandmaître (Ottawa East):** I will be supporting this bill.

Je crois qu'il est grandement temps de parler des pommes lorsque c'est le temps de parler des pommes, et de parler des oranges quand c'est le temps de parler des oranges.

Je crois que la confusion qui existe dans cette Chambre ce matin démontre très clairement comment certains Canadiens ne sont pas vraiment fiers de leur appartenance. Je crois que ce projet de loi ne met pas de côté la reine du Canada. On célèbre la reine du Canada, mais par contre, l'allégeance ou le «Je serai loyal envers le Canada» inclut la reine.

Je félicite mon collègue de Hamilton-Est qui, encore une fois, nous rappelle qu'il faut être fier comme Canadiens et d'employer le mot «Canada» à tous les instants.

Moi, personnellement, je n'ai jamais pensé que la reine n'était pas ma reine ; j'ai toujours pensé qu'elle l'était. Par contre, je crois qu'il est grandement temps, avec toutes les choses qui se passent dans notre Canada, avec les résultats d'un référendum qui a été très près, de se dire fiers Canadiens et de démontrer à toute instance que nous voulons être de fiers Canadiens.

Alors, j'appuierai ce projet de loi et je demande à ceux qui l'opposent de penser très sérieusement aux conséquences. Je rappelle que nous sommes Canadiens, de fiers Canadiens, et qu'on mette de côté nos petites différences, que nous soyons unis et que nous soyons fiers d'être Canadiens. C'est pourquoi je vais appuyer le projet de loi 22.

1140

**Mr Gilles Bisson (Cochrane South):** I just want to make two points here and put them on the record. First of all, there's the whole question of what this motion speaks to. I guess on the surface I don't have a problem in where the member is going with this and certainly wouldn't have a problem supporting it.

I believe that to swear allegiance to not only Her Majesty the Queen but our Constitution makes ample sense. Unfortunately, this is not a matter that can be dealt with legally through this Legislature; there has to be an act of the Parliament of Canada, as I understand it, in order to be able to change our particular allegiance, our particular oath. I would just point that out.

I just want to speak to something I've heard the Conservatives talking about on this motion, and that is

their view that somehow or other the member for Hamilton East is trying to sneak republicanism through the back door. I have an extreme amount of difficulty when I hear Conservatives railing against republicanism, because they are the party, quite frankly, that is moving closest to republicanism in the United States in the history of this province.

We see the government of Ontario time and time and time again doing away with the social programs that I think identify us as Ontarians and as Canadians. If we're seeing one thing through the entire national debate that we've had on national unity over the past number of years, it's that up until about 10 years ago, Canadians identified themselves through their social programs and through the national institutions of this country. People identified themselves as Canadians through the CBC, through the national energy program, through Petrocan, through our health care system, through our welfare system, and they said, "Canada is truly a country that is different than the United States because we believe, since the inception of our nation, that we need to work hard at making sure we have programs and we have a system of government that binds us Canadians together from east to west and not north to south."

If Canadians today in Quebec, and I think Canadians across this country, are worrying about what's going to happen to the future of Canada, I would say greatly it's because Canadians don't see themselves any more when they look at their governments and they look into our country. Because when they're looking at more and more our governments both in Ottawa and within the provinces, and especially now here in Ontario, where the governments are taking away the very underpinning of what our society is all about, they wonder: Will we have a health care system down the road? Will we have a social welfare system to take care of our poor and our needy? Will we have the CBC? Will we have all of those things that we need in order to be able to identify ourselves as a country?

I think, justifiably so, Canadians and Ontarians are somewhat worried and somewhat preoccupied about where their governments are taking them.

So I would just say to my friends from the Conservative Party, to try to wrap this thing up in voting against it on the basis of you seeing this approaching us to republicanism, you certainly don't have ground to stand on there. In fact, the Tories, if I remember correctly, are the ones who went to the Republican Party of the United States and got some of their campaign organizers to come into Canada, into Ontario, last year to help them develop their election platform. I see that as more of an attempt to move us closer to republicanism than I would ever see this particular motion trying to do.

I would say to the member for Hamilton East that I have no difficulty in supporting the motion. I think it makes ample sense. I think that as a Canadian, as an Ontarian, I should be swearing allegiance not only to Her Majesty the Queen and her heirs but also to the Constitution that we, as legislators, both at the provincial and federal levels, are sworn to protect and to uphold.



I would certainly urge the member to talk to his federal counterparts in Ottawa in order to get them to move our oath of allegiance closer to what you're trying to do within this motion, but on principle, I don't have a problem.

On that, I would like to thank the member for bringing forward this motion, and certainly I have no difficulty supporting it.

**Mr John Gerretsen (Kingston and The Islands):** Let me first of all say that every day here brings a new series of surprises to me as a new member. I honestly could not believe some of the comments that I heard earlier, particularly from the member for Durham East, as to why we should not be swearing allegiance to Canada as well as to the Queen.

Let me first of all say that the Queen is a symbol not only for Canada, as the head of state for Canada, but for the entire Commonwealth, as a matter of fact, and no one is suggesting that symbol ought to be removed. Besides, she is a very charming individual who has worked very hard for the people in the Commonwealth in her capacity over the last number of years, and I'm sure we all wish her well, because she is a very dedicated individual and somebody that we in Canada ought to be extremely proud of.

But we live in a changing society, and just because something is a tradition, that doesn't necessarily mean that something should remain static and the same. Over 40% of the people who live in Canada now do not have their roots in this country and they find it extremely difficult to relate to the Queen as the head of state. In my capacity, both present and formerly, I constantly reminded people of the positive aspects of having the Queen as our head of state, and I think that people, once it is explained to them, do realize that and do accept her as that. She's certainly held in extremely high regard throughout Canada.

This whole debate reminds me a little bit of the flag and anthem debate that took place in Ottawa some time ago, that merely because we are adding a new symbol to our nationalism, we are thereby somehow detracting from other symbols that we hold dear in this country, and I totally reject that.

To suggest that by swearing allegiance to Canada, we don't know what we're swearing it to—as the member for Durham East said, “Are we swearing it to the lakes, the rivers, the countryside” or whatever—is no different than, who are we really singing to when we sing O Canada? What are we singing to? It's a song that we are extremely proud of, and it doesn't take away for a moment the regard that many people, including myself, still have for God Save the Queen. I know many of the organizations that I belong to make a habit of singing both anthems, one usually at the beginning of a meeting and the other at the end of a meeting. I think that shows solidity and it shows an understanding of the traditions in this country.

Let's go back to what happened in Montreal just before the referendum in Quebec. When we think of the tremendous outpouring of patriotism, emotionalism for

this country, how was that best expressed by people? It was expressed by people coming to Montreal and showing that by waving flags, by singing O Canada. Now, can we go back to the situation the way it was before the early 1960s, when we didn't have a flag and we didn't have our own anthem? I don't think that same emotionalism, that same feeling for the country, could have been exhibited in those people if we did not have those other two symbols of national unity.

Finally—and I will be yielding some of my time to one of the Conservative members—I just want to say this: To suggest that swearing allegiance to Canada is somehow detracting from swearing allegiance to the Queen I think is nonsense. I must admit that I was surprised when I was sworn in as a member of the provincial Legislature how short the actual swearing-in not only ceremony but statement is. I had anticipated a much longer statement, the way it is, for example, when one gets elected at the municipal or at the school board level. The mere fact of swearing allegiance to the Queen and that's all there was to it surprised me, and I think it probably surprised a lot of other members as well.

I would urge all members of this Legislature to vote in favour of this and to give us another opportunity to look further into this.

There is a real connection between the last bill that we talked about and this bill, because in the last bill every comment that was made by people in this assembly was that these people fought for Canada, the people who fought in the various wars. Who did they fight for? They fought for Canada.

I think that all we're doing by adding this to our oath of allegiance is adding the reality of the situation that currently exists in Canada to the oath, and that is that we are proud to swear allegiance, not only to the Queen of Canada but also to Canada itself.

1150

**The Acting Speaker (Mr Gilles E. Morin):** I will recognize the member for Muskoka-Georgian Bay if there is unanimous consent to do so. Agreed? Agreed.

**Mr Bill Grimmett (Muskoka-Georgian Bay):** I'm pleased to speak in support of this bill today, and I want to make it clear to all members that when I speak in this House, I feel a solemn duty to represent the people of my riding. These are not just my own views.

I feel that it's important for me to indicate that I come from a family that is strong in the traditions of the English monarchy. My parents came from England as immigrants and I am a first-generation Canadian. I came from a household where whenever I questioned my mother as to why I should be cleaning up my room, she always reminded me that the Queen might pay a visit. So I'm certainly mindful of the importance of the Queen, and I certainly respect, as do people in my riding, the traditions of sharing and adopting British institutions.

I am certain that the original oath to the Queen will continue to bear currency in Ontario and that we will continue to use that, and I certainly respect that oath, but like the member for Kingston and The Islands, I was surprised when I took my oath for this Parliament that it

was simply the oath to the Queen, because as a member of a school board, there were additional oaths which referred to Canada.

I see no great concern on behalf of the people that I represent in having an additional oath to Canada, because I feel it recognizes the realities of Canada in 1995. I think it would be wrong for us to ignore the fact that Canada has through its history matured and developed its own institutions, politically and socially, and I will take a moment to quote from Dawson's *The Government of Canada*, which I think is likely the most common reference tool on matters of government. There is a very helpful chapter, chapter 9, called *The Monarchy and the Governor General*. In that chapter it states:

"There is much about the monarchy that is obscure and even mystifying to many Canadians....

"What are the real functions of any head of state if there is a Prime Minister and cabinet to look after all the real executive work? The answers to these questions cannot be found in the written Constitution, which assigns the executive power to the Queen without defining what it is."

In listening to my colleagues, I heard from the member for Welland-Thorold that there is uncertainty among Canadians on exactly what the role of the monarch is in regard to politics and political power in Canada. I want to say that although I have been a student of Canadian history, I have been a law student and practised law in this country, I am among those Canadians for whom there is some mystery in how the monarchy relates to political events in Canada. So I feel it is important that members recognize not only the *de jure* power and authority of the Queen, but also the *de facto* power of Canadian political institutions and the right of a member to swear an oath, not only to the Queen but also to Canada.

**Mr Agostino:** I want to thank all the members of the House who have spoken on this issue today. I'm a little amazed at some of the comments, such as we're taking an oath to an undefined Canada. I can tell you, my Canada's very well defined. My Canada's very, very well defined, and I know what country I'm in, I know what this country stands for, and I take great offence at the suggestion that by taking an oath to Canada we are taking an oath to an undefined Canada or taking a foreign, one-way oath. Taking an oath to my country is not taking a foreign oath. It is taking an oath to the country that I live in, that I work in and the country that I'm proud of, and that is the best country in the world. I'm proud to be part of this wonderful country and to take an oath to Canada, and I clearly know and can define what Canada is all about.

I just want to assure members of the House, the Conservative members, the Solicitor General the other day tabled a bill in this House that in effect gave police officers the option to take one or both. That was the Conservative government. Premier Harris in June is on record as supporting a change that would add Canada to an oath. The Solicitor General yesterday is on record as supporting this change. I certainly don't believe that those two honourable gentlemen want to bring in back-door republicanism. I don't believe that the Premier or the

Solicitor General of this province wants to take away from Her Majesty the Queen and the tradition of this country.

I can tell you, I understand fully the role of the monarchy, I appreciate it, and it may surprise some members, but if you walk into my office, I have a picture on the wall of Queen Elizabeth and Prince Philip. I understand and respect the tradition of the monarchy.

What I'm asking members to do today, in a non-partisan way, is, let's add to this tradition. Let's recognize the reality of a new Canada that includes the tradition, the history, but also what Canada is all about today. Let's, in a non-partisan way, support this and let's move on with it and let's be the first province in this country to be able to swear allegiance to Canada as well.

#### REMEMBRANCE DAY ACT, 1995

#### LOI DE 1995 SUR LE JOUR DU SOUVENIR

**The Deputy Speaker (Mr Bert Johnson):** We'll deal first with ballot item number 13. Is there any member opposed to a vote? Second reading of Bill 25 then, An Act to provide for the Observance of Remembrance Day, standing in the name of Mr Boushy. Is it the pleasure of the House that the motion carry? Carried.

The bill is ordered for committee of the whole?

**Mr Dave Boushy (Sarnia):** I would like this bill to be referred to the standing committee on administration of justice.

**The Deputy Speaker:** Carried? Agreed that it will be referred to the standing committee on administration of justice.

#### LEGISLATIVE ASSEMBLY

#### OATH OF ALLEGIANCE ACT, 1995

#### LOI DE 1995 SUR LE SERMENT D'ALLÉGEANCE DES DÉPUTÉS À L'ASSEMBLÉE LÉGISLATIVE

**The Deputy Speaker (Mr Bert Johnson):** Ballot item number 14: Is there any member who is opposed to taking a vote at this time? Second reading of Bill 22, An Act to provide for an Oath of Allegiance for the Members of the Legislative Assembly, standing in the name of Mr Agostino. Is it the pleasure of the House that the motion carry?

All in favour will say "aye."

All those opposed will say "nay."

In my opinion, the ayes have it.

Call in the members. There will be a five-minute bell.

*The division bells rang from 1159 to 1204.*

**The Deputy Speaker:** Will the members take their seats. Are we ready?

**Senior Clerk Assistant and Clerk of Journals (Mr Alex D. McFedries):** We're just waiting for a member.

**The Deputy Speaker:** All those in favour of the motion, please rise and remain standing.

#### Ayes

Agostino, Dominic	Duncan, Dwight	Leadston, Gary L.
Bartolucci, Rick	Fisher, Barbara	McLeod, Lyn
Bisson, Gilles	Gerretsen, John	Ouellette, Jerry J.
Boushy, Dave	Grandmaitre, Bernard	Phillips, Gerry
Brown, Jim	Gravelle, Michael	Rollins, E.J. Douglas



Brown, Michael A.	Grimmett, Bill	Ross, Lillian
Caplan, Elinor	Guzzo, Garry J.	Ruprecht, Tony
Christopherson, David	Hastings, John	Sergio, Mario
Chudleigh, Ted	Klees, Frank	Silipo, Tony
Crozier, Bruce	Kormos, Peter	Stewart, R. Gary
DeFaria, Carl	Kwinter, Monte	Wettlaufer, Wayne
Doyle, Ed	Lalonde, Jean-Marc	Wood, Bob

**The Deputy Speaker:** Those opposed, please rise and remain standing.

#### Nays

Arnott, Ted	Martiniuk, Gerry	Shea, Derwyn
Baird, John R.	Munro, Julia	Sheehan, Frank
Barrett, Toby	Murdoch, Bill	Skarica, Toni
Ford, Douglas B.	O'Toole, John	Snobelen, John
Galt, Doug	Parker, John L.	
Kells, Morley	Preston, Peter	

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 36; the nays 16.

**The Deputy Speaker:** I declare the motion carried.

Will the bill be sent to committee of the whole?

**Mr Dominic Agostino (Hamilton East):** Mr Chair, I'd like to ask that it go to the standing committee on the Legislative Assembly.

**The Deputy Speaker:** Is there a majority in favour?

All those in agreement, please rise.

Please sit down.

The majority is in favour. The bill is ordered referred to the standing committee on the Legislative Assembly.

It being past 12 of the clock, this assembly stands adjourned until 1:30 o'clock.

*The House recessed from 1209 to 1330.*

#### MEMBERS' STATEMENTS ECONOMIC STATEMENT

**Mr Mario Sergio (Yorkview):** The government's economic statement was a recipe for recession. This government made an election promise to create 725,000 jobs. However, in its economic statement the government made no reference or commitment of any kind to a job creation strategy for the people of Ontario. The current unemployment rate is forecast to stay much the same in the next two years, only demonstrating that the Tories are going to fall far short of their goal of creating 725,000 jobs.

Equally disturbing was the all-out assault on hospitals, seniors and children. In contrast to your election promises, you cut over \$1.5 billion in the health care budget, over \$400 million for elementary and secondary schools, and of course there was your vicious attack on seniors through new user fees under the Ontario drug benefit plan.

Almost lost in this were the draconian cuts to municipalities, over \$552 million in municipal transfer cuts, which will impact on everything from local property taxes to essential services such as policing, fire and ambulance services. As a result, people are going to shell out more for garbage collection and transit.

The government's mini-budget was the product of mini brains and mini thinking. It is, at best, a recipe for a prolonged recession and, at its worst, an attack on the people who can least afford it.

#### SCIENCE NORTH

**Ms Shelley Martel (Sudbury East):** The cuts to Science North announced in the economic statement will have a serious impact on this northern agency. It puts science education at risk in Sudbury and it negatively impacts all of northern Ontario, given the agency's mandate to deliver programming in the north.

The fact is that the operating grant Science North receives from the Ministry of Citizenship, Culture and Recreation is lower than all four other southern Ontario cultural attractions. The grant is 30% lower than the Ontario Science Centre on a per-visitor basis.

In recognition of its special needs, our government, through the Ministry of Northern Development and Mines, provided Science North with a three-year, \$300,000-a-year operating grant. This supplements the base operating grant and permits Science North to deliver outreach services across the north.

In 1995 alone, science discovery camps occurred in nine communities, 59,000 people in 24 communities experienced the van programs, science teacher training took place in five centres, and the science toolboxes were on loan to seven different areas. No other organization is available to deliver this kind of science education to northern communities.

The 7% funding cut from MCCR represents a significant challenge to Science North, but it's the loss of the MNDM grant which we understand is in the works that, in the words of executive director, Mr Jim Marchbank, "would be devastating. It will require massive program cuts, especially to the outreach services."

As the government slashes and burns to finance the tax cut, I hope it will consider the enormous loss northerners will face if Science North is crippled to the point where it can no longer provide the educational science programming it is mandated to deliver.

#### SOCIAL ASSISTANCE IN NIAGARA

**Mr Tim Hudak (Niagara South):** I just returned from my riding this morning and I was once again reminded that the people of Niagara South and throughout the province of Ontario elected us to change the status quo. They elected us to bring hope and opportunity back to Ontario again.

The taxpayers of Fort Erie, Port Colborne and Wainfleet have told me they were frustrated with staggering welfare roll increases under the NDP and Liberal governments. They wanted to see the new government take the steps to reduce these rolls.

I'd like to share with members some good news about social assistance in the Niagara region. The number of people on welfare has declined steadily for the past five months. Since the end of June, over 4,600 people have stopped receiving social assistance in the Niagara Peninsula.

The decline follows the provincial trend. Over 103,000 people have left Ontario's welfare system over that same

period. That's very encouraging after years of staggering welfare increases with \$40 billion put down the hole.

In one month alone, from September to October, the number of people relying on social assistance dropped by over 36,000—the largest monthly decline in at least 25 years.

I'd like to think that the 15 new jobs coming to Port Colborne with Trench Manufacturing and new jobs with Great Lakes Bureau and Ronal Manufacturing in Stevensville are paving the way to new jobs in Ontario and a rapid decrease in the welfare rolls.

#### GOVERNMENT'S RECORD

**Mr Mike Colle (Oakwood):** Today this legislative session ends. During this session, we saw a government that failed to keep its word. We witnessed a government so arrogant it actually tried to lock out elected officials from the democratic process.

We also watched as cabinet ministers lurched from one mistake to the next. First there were the drafting errors. Then there were the infamous 69-cent cans of tuna. Then came the invented crisis—Palladini's dogsleds and cell phones. Now we have a minister who is forcing municipalities to slap user fees on everything from fire services to kids' library books.

At times during this session, the government became a comedy of errors. Unfortunately for too many in this province, the actions of this government just weren't funny.

For the poor, who are facing one of the meanest, ugliest winters in memory, it wasn't funny. They have been punished by this government.

For the seniors and the disabled, who trusted Mike Harris, they were betrayed by this government.

For the sick, who were promised that not one cent of health care would be cut, they could only watch in shock as this government slashed more than one \$1.5 billion from health care and slapped user fees on seniors' medicines.

This session will go down in history as the beginning of the commonsense dictatorship.

#### ECONOMIC STATEMENT

**Mr Tony Martin (Sault Ste Marie):** In rising this afternoon, I want to state to the people of Sault Ste Marie and the people of my community my concern, and the concern of many of my colleagues here in the House who have come and spoken to me this morning, for those who have been affected by the cave-in of the roof at the Station Mall plaza and our wishes that anybody who's been hurt by that will be okay, hurt in any way, either physically or whose job is affected etc, all the ways they will be affected by this. They need to know that we're thinking of them here and that we're wishing them well.

I also want to say just briefly to the House that I met in Sault Ste Marie and North Bay over the last few days with a number of people concerning the financial statement of this government and Bill 26. Frankly, they're very concerned in the north about the impact it will have on health care and on jobs.

On the health care front, we spoke to a number of health care professionals and people, and they're con-

cerned about how we're going to keep and attract professionals, given that you're going to take a whole ton of money away from them re the question of the malpractice insurance initiative you've taken on. They're very concerned about the fact that they will now lose even more jobs as the cuts take place that will—

**The Speaker (Hon Allan K. McLean):** The member's time has expired.

#### MISSISSAUGA NEWS

**Mr Carl DeFaria (Mississauga East):** It is my privilege to rise and extend warm congratulations to the Mississauga News on its 30th anniversary.

One cannot envision what the Mississauga News was like 30 years ago without also thinking about what the community of Mississauga was like 30 years ago. Mississauga has become the pride of the fledgling cities to the west of Toronto. It is a masterpiece of urban development which has been showcased to architects of similar communities throughout the world.

As a newspaper, the Mississauga News has served its readers in a most exemplary manner, increasing its range and depth of influence in tandem with the city's phenomenal growth. It has been an acknowledged leader within the newspaper industry and is in fact also regarded as a model for other developing newspapers.

However, it is important to remember that the Mississauga News began as a community newspaper and, despite the rapid expansion surrounding it, has remained true to its original mission.

I think I would be remiss if I did not mention the mayor of Mississauga, Hazel McCallion, who has been, to say the least, an integral part of the development of the community in Mississauga. Her views and contributions have been evidenced in the columns of this journal for almost 30 years.

It is therefore difficult to speak about the Mississauga News without realizing the trinity involved: the city of Mississauga, the mayor of Mississauga and, of course, the focus of this tribute, the Mississauga News, whose publisher, Mr Ron Lenyk, and staff, Mr Fred Loek, are here with us today in the members' gallery.

Congratulations on a job well done.

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#### CHILDREN'S HOSPITAL OF EASTERN ONTARIO

**Mr Gilles E. Morin (Carleton East):** I wish to comment on the report released this week by the Ottawa-Carleton Regional District Health Council. This is an issue of great importance to my Liberal colleagues in the Ottawa-Carleton area, and I presume that my Conservative colleagues also feel the same way I do.

The council proposes three scenarios for reconfiguring health services in the area. These involve the closure of the Riverside, Grace or Civic hospitals or a combination of these three sites. Members of the public have only until tomorrow to react and express their views.

One of the most controversial proposals is to close the Children's Hospital of Eastern Ontario, CHEO, and move its operations to the Ottawa General Hospital. If you move CHEO, you will lose its focus. CHEO is a full paediatric care facility which responds to the unique



health care needs of children. It is different in every way from a major adult hospital. In 1994-95, CHEO had approximately 9,000 inpatients, 150,000 outpatients and 48,000 through the emergency department.

If CHEO is merged, as suggested, children's priorities will lose out over time. It has been shown that paediatrics quickly become diluted by stronger and louder adult interests when placed within an adult facility.

CHEO is a world-class care facility for children and the only one of its kind in all of eastern Ontario. It must be preserved.

#### RETRAINING FUNDS

**Mr Rosario Marchese (Fort York):** Hundreds of cultural workers who live or work in my riding are losing their jobs or the funding which allows them to function as artists. Now the government is adding some insult to injury. As a result of the cuts announced by the Harris government, more than 20 workers will be laid off from the Art Gallery of Ontario and the Royal Ontario Museum before the end of January. But in the Christmas spirit the Ministry of Finance has decided that laying off staff is not enough. The ministry's now trying to take back their retraining money.

This is a very simple matter. There is a binding agreement to provide money to retrain workers laid off from the art gallery and the museum. The Ministry of Finance is refusing to provide the money provided for under the agreement. I don't think it's right to kick someone when they're down and I hope the Minister of Citizenship, Culture and Recreation will agree with me and speak up on behalf of those workers.

#### CHILD CARE

**Mr Jack Carroll (Chatham-Kent):** Something great has happened in my riding of Chatham-Kent and I'm pleased to be able to share the good news with other members of this Legislature.

Two agencies providing child care services, the Family YMCA and Operation Our Kids, were each experiencing a decline in enrolment and, as a result, serious financial challenges.

A couple of months ago, Operation Our Kids, which also assists adolescent parents continuing their education, reluctantly announced it would be closing. Parents of the children using the centre were understandably concerned.

However, in a spirit of cooperation, the boards of directors of both agencies worked together to develop a solution. The two agencies are amalgamating their services, not only to economize but to ensure there will be continued, caring service for the children involved.

The initiatives taken by these two groups, with, I might add, the assistance of staff from the Ministry of Community and Social Services, typifies the strong spirit of community that is evident throughout Chatham-Kent. The work of those involved, and the result obtained, underscores what this government is committed to: the efficient delivery of services, with government, when needed, as a partner in change.

I am equally sure that this is just the first of many cooperative ventures by community groups in my riding and across the province as we all work together to meet our future needs and current realities.

#### STATEMENTS BY THE MINISTRY AND RESPONSES

##### EQUAL OPPORTUNITY PLAN

**Hon Marilyn Mushinski (Minister of Citizenship, Culture and Recreation):** Bill 8 received third reading yesterday, and as this government promised, job quota laws in Ontario will be replaced with a sensible and practical equal opportunity plan to promote workplace fairness for all Ontarians.

The equal opportunity plan that I am outlining today will support employers' efforts to address one of the most important challenges they currently face: their ability to adapt to a changing labour force by restoring the merit principle to Ontario's workplaces.

Our approach to equal opportunity recognizes that discrimination is already against the law in Ontario under the Human Rights Code. It promotes equal access through the removal of barriers but doesn't legislate equality of outcome. It restores merit as the basis of equal opportunity, not quotas. It is voluntary, not mandatory. It is based on cooperation rather than creating division. Our approach promotes equal opportunity for all Ontarians.

In response to the input we obtained from a range of discussion groups within the private and broader public sectors, a number of services will be developed. All will have a component dealing with the particular employment barriers faced by persons with disabilities. These services include a "one-window" information and referral service, a resource clearing house, demonstration projects and training and education.

The equal opportunity plan also includes a fund to support access and accommodation for persons with disabilities to participate in the paid workforce and in the volunteer sector. In addition, my ministry, together with the Ministry of Community and Social Services and the Ministry of Health, will be reviewing existing employment-related programs for persons with disabilities. We will examine, in particular, accommodation strategies to enable persons with disabilities to enter and stay in the workforce.

One of the most significant barriers to equal opportunity prevents skilled people who were trained and educated outside of Canada from having their academic credentials recognized. The government will establish a self-financing service for assessing academic credentials.

The Ministry of Education and Training will work with my ministry to develop this service in consultation with organizations providing similar services in British Columbia, Alberta and Quebec, and with other relevant partners.

This government recognizes that it has a leadership role to play in promoting equal opportunity and in addressing workplace discrimination and harassment. That is why an equal opportunity plan for the Ontario public service is being developed.

Also, when Bill 8 receives royal assent, the Solicitor General and Minister of Correctional Services will be issuing an equal opportunity guideline for police services in Ontario. That guideline will be consistent with the provisions of the Police Services Act.

In the new year, the Ministry of Education and Training will issue policy statements on workplace equal

opportunity and anti-discrimination education for school boards, colleges of applied arts and technology and universities.

This government recognizes that discrimination, when it does occur, must be addressed promptly and thoroughly. The Ontario Human Rights Commission has recently completed the first phase of a major restructuring process and will be entering the next phase in the new year.

While this process continues, my ministry will be developing regulations under the Human Rights Code to streamline case management as well as longer-term reforms to improve the efficiency and effectiveness of the commission.

It is in the best interests of us all to work together as partners on this very important issue, for now, perhaps more than ever before, we have to bring down the barriers that prevent us from making the best use of the creative, talented and diverse workforce that exists in Ontario. The benefits we will gain from achieving this objective, as individuals and as a province, are immeasurable.

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#### EMERGENCY SERVICES

**Hon Jim Wilson (Minister of Health):** I'm pleased to announce major improvements to one of the most important front-line services for residents of this province, and that's emergency health care.

The government will reinvest health care savings to introduce the advanced life support skill of defibrillation to more communities across Ontario. Specially trained ambulance attendants operate defibrillators to restart the hearts of people who have suffered cardiac arrest. Base hospitals, which direct the actions of ambulance crews in medical emergencies through a radio link, will buy defibrillators and upgrade ambulance attendant training in the counties of Renfrew, Elgin, Perth, Huron, Middlesex, Wellington, Dufferin, Brant, Leeds and Grenville, Lanark, Prescott and Russell, Stormont-Dundas-Glenarry, the districts of Cochrane, Rainy River and Thunder Bay, and the regional municipality of Haldimand-Norfolk.

In response to a successful pilot project carried out by the Ministry of Health, we will provide ambulance services in Ontario with lifesaving, symptom-relief medications. These medications treat people suffering from bad allergic reactions, diabetic emergencies, and asthma and angina attacks.

We're very proud of this new government program. During our pilot project, at least five lives were saved because ambulance attendants had these medications on hand for immediate treatment. The successful pilot project was conducted over the past year in the town of Tecumseh in Essex county, Halton and Peel regions, Simcoe county and the district of Muskoka.

Other data from this project indicate that this new program will result in significantly reduced hospital stays in many cases. In fact, some diabetic patients recovered so quickly that they were reluctant to go to hospital with the ambulance crew or did not require admission to hospital at all.

By either eliminating or reducing the length of hospital stays, this valuable new service will save the health care system money. We will pay for both these initiatives with taxpayers' money that was saved by getting rid of waste, duplication and administrative inefficiencies in other parts of the health care system.

This announcement is part of our continuing commitment to reinvest and drive health care dollars to front-line services that most benefit the people of this province. Lives will be saved by these two important initiatives, and more Ontario communities will have access to more critical, lifesaving services.

#### EQUAL OPPORTUNITY PLAN

**Mrs Lyn McLeod (Leader of the Opposition):** I really can't understand why this government remains so absolutely determined to avoid any kind of public scrutiny of its plans, even of plans that might seem, on the surface of it at least, to be good plans.

We have spent days of hearings on the issue of employment equity and this government's intent to scrap employment equity legislation. We had days when presenter after presenter expressed their concerns at the absence of anything to take the place of employment equity legislation. The government said their plan would be coming, their plan would be coming, and their plan would address everyone's concerns, but they refused to say what was in the plan, they refused to bring the plan forward when people who were presenting to that committee could actually comment on it.

Today, just little more than a day after they passed the legislation repealing any commitment to employment equity by this government, we get the first bits and pieces of the government's intention—still no real plan, but some bits and pieces. I wonder why they were not prepared to give at least the parts of the plan they had decided on to the committee so that people who were coming forward could comment on it. I wonder if they thought their proposals might actually be criticized or they might be faulted for not having a real employment equity plan. Or do they just simply want to dribble out their intentions in bits and pieces so that they can get regular pats on the back, as the Minister of Health likes to do, and never ever hear the concern that this is simply not enough?

Both parts, significant parts, of this announcement address some very real concerns, very real barriers, one being access for the disabled to our workplaces and the other being access to trades and professions.

It is difficult to know how much progress will be made in terms of access for the disabled, because it will depend on dollars and financial commitment from this government—we see no indication of what dollars will be in the plan—and it will depend on the commitment of employers.

We don't know how the recertification, another important issue, will work because we have no indication of how the licensing bodies in trades and professions will be involved, and without their involvement this means absolutely nothing.



I comment only on those two issues, because to comment on guidelines for employment equity in police services or guidelines for school boards, it's really bizarre that this is here, when this government has just successfully removed all reference to those from both the Police Services Act and the Education Act.

Lastly, these are only two steps. We need so much more. One of the things we need, if there's to be real employment equity for women in the workplace, is more child care. This government had an immediate opportunity given to them by the federal government yesterday to address the issue of child care. Where is the announcement from the Minister of Community and Social Services on child care?

**Mr Dominic Agostino (Hamilton East):** I want to respond to the aspects of the bill that affect the disabled. I find that the statement today smacks of hypocrisy and patronizes the disabled people across this province.

This government has penalized, punished and betrayed disabled people across Ontario. This government now wants to talk about access and accommodation. They talk about voluntary. This government and the minister in her statement believe that accessibility for the disabled to the workplace should be voluntary. It should be left up to the goodwill of employers.

I do not believe that a wheelchair ramp or an adaptation of a workstation should be voluntary and should be up to the goodwill of the employer. People who are disabled in this province are unemployed in excessively high numbers, and that is because of the accessibility factor.

You took away the employment equity aspects that affected and helped disabled people, and now you dare come back with this feel-good statement that doesn't make it mandatory to have access to employment services for the disabled. You should be ashamed of yourself. You owe disabled people in this province an apology. You've betrayed them again today, as you have for the last six months since you've taken office.

#### EMERGENCY SERVICES

**Mrs Elinor Caplan (Oriole):** In the few minutes remaining, I would say to the House that this is the fourth statement from the Minister of Health on emergency services. He talks about getting rid of waste, duplication, administrative inefficiencies, but he's not talking about the \$1.5-billion cut to health expenditure in this province, he's not talking about the fact that with the new legislation he will be able to close hospitals at his whim, wipe out hospital voluntary boards, governance, control doctors absolutely, deregulate drug prices, give himself access to sensitive health records and disclose them without penalty. That is appalling.

The only good thing about this announcement is that at least the Minister of Health did not have the temerity to suggest that this was yet another Christmas present. The people in every part of this province need access to emergency services. They need access to those services that are going to give them the kind of life-saving care that we know is available; and for the minister to dress this up as yet another new announcement is a disgrace. He's a disgrace to the office, and we'll hear more than in committee hearings in the intersession.

#### EQUAL OPPORTUNITY PLAN

**Mr Rosario Marchese (Fort York):** What has offered today by the Minister of Citizenship, Culture and Recreation is an affront to everyone, but most especially to people with disabilities. It is arrogant because it has no substance whatsoever.

What you presented today is nothing more than what we've been doing for years. We have been offering the assistive devices program in the Ministry of Health; the vocational rehab services in MCSS; the job accommodation fund for the Ontario public service, which provides funds to accommodate staff, and the access fund for the voluntary sector. This includes funds for physical accommodation ie, ramps, elevators, and also included are hearing devices. We have been doing that.

What you're doing today is nothing different than what has been done. You can't fool the community, but especially the people who are here today to listen to your announcement. You recycled an old program. It's like repackaging yesterday's leftovers for today's soup du jour. These devices, although they're helpful and we've been doing it, will not deal with systemic discrimination, and that's what our bill, Bill 79, was all about. You are doing absolutely nothing for people with disabilities.

In response to many other things you said, you said that you've been discussing this with other groups. You've had a consultant gather some people together but you offer no plan. They didn't know what the plan was all about. Your consultant asked them to talk about, "What would you like to see in an opportunity plan?" That was your consultation. It was a sham. It was a phoney discussion that your consultant had with a few people that you gathered together.

1400

On the whole issue of voluntary programs, this is what Judge Abella said many years ago, and it still applies today:

"It is difficult to see how a voluntary approach, an approach that does not include an effective enforcement component, will substantially improve employment opportunities for women, native people, disabled people or visible minorities. Given the seriousness and apparent intractability of employment discrimination, it's unrealistic and somewhat ingenuous to rely on there being sufficient public goodwill to field a voluntary program."

On the issue of human rights, she said:

"The traditional Human Rights Commission model is increasingly under attack for its statutory inadequacy to respond to the magnitude of the problem. Human rights is increasingly bureaucratic. It only provides remedies; it does not provide rights. It does not deal with systemic discrimination."

That's what you don't understand on the other side. You are doing absolutely nothing for our groups that have been discriminated against for years.

On the whole issue of measuring what you're doing, this whole program that you're providing today has been done for 30 years. It has failed. Your voluntary plan, your equal opportunity plan, has been in place for 30 years. Human rights has been in place for 30 years. It has

not dealt with the discrimination that is systemic discrimination in particular, so you're reproducing systemic discrimination with your plan. That's what you're doing. Your plan today is so insignificant that you are absolutely right: We can't measure it.

#### EMERGENCY SERVICES

**Mr David S. Cooke (Windsor-Riverside):** I'd like to respond very briefly to the Minister of Health's announcement, and again I'm sure that everybody in here knows and members of the gallery know and people watching know that this is not a new announcement. This is another attempt by the Minister of Health to try to deflect the problems that he's created with his Bill 26 and what he's trying to do to hospitals in this province, what he's trying to do to doctors and pharmacists and seniors in this province.

It's also an attempt to try to convince people that there hasn't been \$1.5 billion worth of cuts, that it's all being reinvested. We all know that's not the truth. The people in this province are going to see very quickly more and more cuts without consultation at the local level, hospitals closed in the province, dictated by the Minister of Health and by the provincial government. That's the strategy of this provincial government, and they've got this sophisticated communication strategy to try to fool the people of the province. It simply won't work.

I want to also say, again, when the minister talks about the accomplishments of his ministry and of his government, he uses lines like, "Our successful pilot project was conducted over the past year in the town of Tecumseh in Essex county, Halton and Peel regions, Simcoe county and the district of Muskoka." At least he could, on occasion, say that this is not a new idea. There has been progress made in emergency care over the last number of years. It wasn't initiated by him; it's been initiated by others.

#### MEMBERS' PRIVILEGE

**The Speaker (Hon Allan K. McLean):** Could I have your attention, please.

On November 22, and again on December 5, the member for Timiskaming, Mr Ramsay, rose on a question of privilege. According to the member, a ministry plan to monitor the activities of civil servants near members' offices and to monitor their complaints to members impinged on his privilege to freely associate with his constituents.

On December 12, the member for Hamilton East, Mr Agostino, rose on a question of privilege to say that a ministry was requiring a constituent's written consent before it would allow a member to make inquiries to the ministry on behalf of that constituent. According to the member, such an administrative requirement prevents members from properly and effectively representing their constituents.

Since the concerns of both members are related, I will deal with them together. Let me begin by making a few remarks on the nature of privilege.

As Speaker Edighoffer stated on page 147 of our Journals for December 10, 1985, "It is only in very extreme circumstances that there can come to the House

a legitimate case of privilege on the basis of the real and accepted and traditional definition of parliamentary privilege."

In a similar vein, citation 24 of the 6th edition of Beauchesne states, "The privileges of Parliament are rights which are 'absolutely necessary for the due execution of its powers.'"

There are many precedents dealing with the extent to which parliamentary privilege applies to members' activities outside this House. For example, in a February 20, 1975, ruling, Speaker Jerome of the House of Commons at Ottawa stated the following (at page 308 of the Journals for that day):

"The consequences of extending the definition of privilege to innumerable areas outside this chamber into which the work of a member of Parliament might carry him, and particularly to the greater number of grievances he might encounter in the course of that work would, in terms of that definition, run contrary to the basic concept of privilege."

In our own assembly, a ruling (at page 8339 of our Hansard for December 7, 1994) states that "the parameters of parliamentary privilege are very narrow and were only intended to protect the activities of members while carrying out their legislative duties in the chamber and in its committees."

Let me also say that previous Speakers of this assembly have ruled that a member's complaint that a ministry's administrative procedure was impeding members' ability to assist their constituents was not a matter of privilege. In this regard, I refer to the ruling at page 256 of our Hansard for March 27, 1991, and page 6479 of our Hansard for May 30, 1994.

Based on these authorities and precedents, I find that a prima facie case of privilege has not been established with respect to the concerns raised by the member for Timiskaming and by the member for Hamilton East. Nevertheless, I thank those members for raising their concerns.

On a separate but related matter, on December 12 the member for Ottawa Centre (Mr Patten) rose on a question of privilege to express his disagreement with part of a reply that a minister had made in a previous question period. The member also requested that the minister correct the record.

In response, let me say that my review of the parliamentary authorities and our precedents indicates that a difference of opinion or a disagreement as to the facts is not a matter of privilege. In this regard, rulings on page 115 of our Journals for July 17, 1989, and page 227 of our Journals for June 9, 1988, approved the following statement in citation 31 of Beauchesne:

"A dispute arising between two members, as to allegations of facts, does not fulfil the conditions of parliamentary privilege."

To this, let me add that a member is entitled to rise on a point of personal explanation in order to correct his or her own record. In this regard, I refer members to rulings at page 716 of our Hansard for December 1, 1987, and page 1964 of our Hansard for February 10, 1988. It is not



for the Speaker or a member to require another member to correct his or her record.

In closing, I find that the concerns of the member for Ottawa Centre amount to an expression of disagreement rather than a matter of privilege. Nevertheless, I thank him for his interest.

#### LEGISLATIVE ASSEMBLY PRESS GALLERY

**Mr James J. Bradley (St Catharines):** I have a point of order which you can rule on, I think, rather quickly, Mr Speaker: I don't know if it has been transmitted to you yet, and to members of the House, that the press gallery auction raised over \$6,000 last week for the United Way, and we'd like, as members, to extend to the press gallery our thanks for that.

#### ORAL QUESTIONS MUNICIPAL TAXATION

**Mrs Lyn McLeod (Leader of the Opposition):** My first question is for the Minister of Municipal Affairs and Housing. Minister, over the last few days, we have been raising with you the part of Bill 26 that relates to municipal interest in raising direct taxes such as gas taxes.

I have in my hand a motion from the municipal council of the township of Ernestown, a community of over 11,000 people in eastern Ontario. The motion is dated from last summer and it requests the authority to implement a municipal gas tax. The council of Ernestown wants to implement this new tax because, as they state in their motion, the government of Ontario is cutting back on the grants to municipalities to maintain their roads. The council wants to implement a tax in order to pay for municipal road maintenance. This would clearly be a user fee for motorists in the nature of a direct tax for the purpose of raising revenue for road services provided by a municipality, exactly as described in Bill 26. Minister, how will Bill 26 prohibit this kind of new municipal gas tax?

**Hon Al Leach (Minister of Municipal Affairs and Housing):** The legal staff who prepared the legislation maintain and continue to maintain, and I agree with them, that this legislation allows fees and charges to be applied only to services provided by or on behalf of a municipality. This legislation does not give the municipalities the tools to impose a gasoline tax. It does not do that. It doesn't do it.

1410

**Mrs McLeod:** Well, Minister, it is absolutely clear, I think you will agree, that municipalities are being forced by your government's cuts to find new revenue solutions. You keep telling us that's why you want to give them new tools; so they can find new revenues.

You have told us that we shouldn't worry about Bill 26 and the scope it gives to municipalities because you don't know why any municipality would even want to implement a gas tax. But I wanted to give you a very clear example of at least one municipality that does. I draw to your attention the wording of the Ernestown proposal passed last summer, before they had ever seen Bill 26, but it matches the language in Bill 26. You'd almost think your staff had it in mind when they drafted Bill 26. The motion states that revenue from a tax on

motorists be used specifically for road maintenance. It matches every argument you've given us that the new municipal taxes in the nature of a direct tax must be linked to services and activities provided by a municipality.

So I ask you, Minister, to simply find the words in Bill 26—because the words giving scope are clear—tell me what words in Bill 26 prohibit this type of municipal gas tax user fee for road maintenance.

**Hon Mr Leach:** I'll even give you a couple more examples of where municipalities have asked for gas taxes. The city of Ottawa asked for one. Metropolitan Toronto asked for the right for a gas tax. That doesn't mean they're going to get it, and there's nothing in this legislation that gives municipalities the tools to impose a gas tax.

I reviewed this yesterday, I reviewed it last night and I reviewed it this morning with all of the legal people involved in drafting this. It is just not there. The advice you're getting is not correct.

**Mrs McLeod:** We clearly have a difference of opinion as to what your law provides for and, Minister, I think you have a problem because we have heard you say in the House repeatedly that you want to give municipalities access to new fees in order to allow them to increase their revenues. Now, we agree you are clearly doing that with Bill 26 and we have Ernestown council that wants to implement a user fee on drivers to pay for road maintenance. The fee would take the form of a direct tax. It would be in the nature of a direct tax called a gas tax. Like a user fee, just so we're clear about this, the more you use the service the more you would pay. It's a user fee in the nature of a direct tax, and tax experts across this province are saying this would indeed be allowed under Bill 26.

The problem is that the Premier has said that he doesn't want municipalities to bring in gas taxes or sales taxes or even poll taxes, which you say would be allowed under this. But the legislation does allow for them as long as they're linked to municipal services such as road maintenance or recreation. So, Minister, you've got a problem and I want to know how you're going to fix your legislation to make sure that municipalities do not implement gas taxes or sales taxes or indeed head taxes.

**Hon Mr Leach:** Your information is wrong. I don't know how many times I have to tell you this. It states "for services provided by a municipality." That does not give the municipalities the tools. The gasoline is not provided by the municipalities. Smarten up.

*Interjection.*

**The Speaker (Hon Allan K. McLean):** The member for Kingston and The Islands is out of order.

**Hon Mr Leach:** It does not give the municipalities the tools to impose a gas tax.

**The Speaker:** Final supplementary.

**Mrs McLeod:** That was the final supplementary. I'd be happy to ask another, Mr Speaker, but it was my—

**Mr James J. Bradley (St Catharines):** On a point of order, Mr Speaker: The minister made reference to a legal opinion that he has. I believe the rules of the House say that if you make reference to this, you must table it. Is

that not correct, sir? I think the rules say that. I read them.

**The Speaker:** New question.

**Mrs McLeod:** Mr Speaker, your nod suggests that the minister will be asked to table his legal opinion?

Well, in that case, I'll direct my second question to the Minister of Health.

#### HEALTH CARE

**Mrs Lyn McLeod (Leader of the Opposition):** As every day passes, the absolutely enormous implications of Bill 26 become clearer and clearer. So we return to what this Bill 26 does to our health care system, and we find that Bill 26 removes the right of doctors to determine what health care is medically necessary, and therefore what will be paid for. Bill 26 puts that power, the power to decide what is medically necessary for the patients of this province, what health care can be provided to patients of this province, very directly into the hands of the state, into the hands of this government and this cabinet.

Minister, I want to ask you, if you were ill—let's suppose you had a gall-bladder problem—and you had to go to a doctor for treatment, who would you want to make the decisions as to whether your gall-bladder should be removed? Would you want that decision to be made by your doctor, or would you want it to be made by your cabinet colleagues, Mr Palladini and Mr Leach and Mr Tsubouchi and Mr Eves and Mr Harris? Who do you want deciding what health care you need?

*Laughter.*

**Hon Jim Wilson (Minister of Health):** When we are dealing with the health care system and the services that physicians provide to the people of Ontario as medically necessary, I don't think it's a laughing matter at all or a subject of jest in this House.

There can be nothing further from the truth than what the honourable member is inferring. I gather she must have met with the Ontario Medical Association. What they are inferring, they are wrong. They know they are wrong.

There are two provisions in Bill 26; one is inappropriate referrals. There are now forensic flags in the accounting computer system at the Ministry of Health if there are inappropriate referrals for medical services. The Minister of Health does not make the decision whether the referral is inappropriate; it is sent to the Medical Review Committee. A group of doctors, their peers, make that decision.

The only other provision that would deal with medically necessary treatments is with respect to inappropriate billings. Again, there is an appeal procedure.

The honourable member must admit with the electronic system now in place, we receive billings very, very quickly, and when inspectors find something that's perhaps inappropriate, as forensic flags come up in the computer system—some physician, a specialist, for example, might be billing more than another specialist in the same field and it looks excessive—an inspector will look at that. Again, there is an appeal process in there for physicians. So what you're saying isn't true at all, and I

wish you guys would be a little more positive about the management tools we're trying to bring into the health care system.

**Mrs McLeod:** We've only had one answer from this government for 10 days now and its answer is: Everybody else is wrong, every other lawyer in the province is wrong. The only people who are right are the infallible people who wrote this legislation and who back up what this government wants to do. The minister in this case is wrong, because this Bill 26 makes it very clear that decisions about what health care will be provided and paid for by the public system will not have to be made by the professionals, by the doctors, by the Medical Review Committee. It will be made by cabinet in regulation.

Furthermore, this government can second-guess decisions that are made by doctors in giving care to their individual patients. It can make those decisions retroactively and say, "The care you provided was not medically necessary and we won't pay for it." It furthermore says that you, Minister, can decide that the fee for any insured service can be set at zero and you will not pay for it.

1420

Minister, this bill clearly takes the decision about patient care out of the hands of physicians and it puts it into the hands of politicians and bureaucrats. That's the power you've given yourself in this bill and I ask whether you really believe that you're in a position that you should be second-guessing doctors. What makes you think you are better able to decide what's best for patients than their doctors?

**Hon Mr Wilson:** The honourable member fully knows that it is the medical community in this province that decides what is medically necessary. They do not need, under existing legislation or under Bill 26, any medical advice from a layperson such as myself, the Minister of Health. I would never pretend to give such advice on medically necessary services. It would be inappropriate for me, and there is no legal authority in Bill 26 to allow the Minister of Health to do that. I would caution any members who are not physicians registered with the College of Physicians and Surgeons from giving any medical advice in this province; it would be highly inappropriate.

With respect to one point that the honourable member does make about retroactivity—and I'd be happy to cite the sections—if there is what the general manager of health insurance might deem to be an inappropriate billing—because as I said, these things happen very, very quickly—they go back retroactively and they will say that perhaps is an inappropriate billing for a particular procedure. It's the general manager of OHIP. Again, the physician has the right to appeal that, and we would have to pay back any fees that the general manager recommended be recovered retroactively. There is due process in those sections of the bill.

**Mrs McLeod:** We are trying to caution the people of this province against giving this Minister of Health and this government the power to make decisions about what is medically necessary. I say to a minister who keeps saying, "We would never use these powers," why then



are you giving yourself the powers? This entire bill as it relates to our health care is an unprecedented power grab.

You are giving yourself the power to decide how our health care system will operate, to dictate how our health care system will operate. You're giving yourself the power to dictate how our hospitals are going to operate. You're giving yourself the power to go in and snoop into people's medical records, into doctors' charts and notes. You're giving yourself the power to decide what care patients will get and what health care will be paid for.

This bill squarely puts you and your government between patients and their doctors. I ask you, Minister, why you will not come clean if you believe this is the right thing to do and this bill is right. Come clean and admit that what you are doing with Bill 26 is giving yourself the most arbitrary, dictatorial powers ever held or sought by any Minister of Health in this province.

**Hon Mr Wilson:** I'm not quite sure what the honourable member's driving at. She's not specific. Does she have a legal opinion?

**Mr James J. Bradley (St Catharines):** Just ask the Ontario Medical Association.

**Hon Mr Wilson:** I've talked to the Ontario Medical Association and I've heard them, and I tell you categorically that they are wrong. They know they are wrong. They are misleading the public with respect to asking MPPs to give prior approval to medically necessary procedures. Again, most sensible doctors aren't going to do that. They know that the decision for determining medical necessity is why they go to medical school. We're not interfering in that process at all.

The honourable member is talking about some modernization of billing procedures which have already occurred. I will give the NDP full credit; almost all of the 22,000 physicians in the province are either online—directly computerized billing—or they're sending us their cassettes. Therefore, you need some retroactivity to be able to check. We pay up front, and when flags—and the forensic flags were put in the system by the previous NDP Health minister, something the Liberals should have done a long, long time ago—come up—and it's very, very rare; there are very few cases a year—inspectors try and verify this, and due process is provided to the physicians. The OMA knows that.

**The Speaker (Hon Allan K. McLean):** New question; leader of the third party.

#### USER FEES

**Mr Bob Rae (York South):** I always found the OMA was hugely appreciative of our efforts as a government, enormously appreciative.

Again to the Minister of Municipal Affairs, Minister, would you agree with me, reading the act as we've been doing—"A municipality and a local board may pass bylaws imposing fees or charges on any class of persons...for services or activities provided or done by or on behalf of it"—that road maintenance would be a service or activity provided by a municipality? Would you agree with that commonsense position?

**Hon Al Leach (Minister of Municipal Affairs and Housing):** I can tell you that the legislation allows for

fees and charges to be applied only to services provided on behalf of municipalities. I don't know how the municipality could charge itself for road maintenance.

**Mr Rae:** No, no, no. The municipality carries out road maintenance as an activity. The legislation—

*Interjection.*

**Mr Rae:** The member for Carleton is upset, and I'm just trying to—look, I'm from Missouri; I'm just trying to understand this legislation, that's all. I'm not—

*Interjections.*

**The Speaker (Hon Allan K. McLean):** Order.

**Hon Norman W. Sterling (Minister of Consumer and Commercial Relations):** What do you know about road maintenance?

**Mr Rae:** I'm a Rhodes Scholar. I know about road maintenance.

*Interjections.*

**The Speaker:** Order.

**Mr Rae:** All right. The law says, as I read it, "A municipality may impose a fee or a charge on any class of persons for services or activities provided by or done by or on behalf of it." So the fee or charge can be imposed on any class of person. It goes on to say that "the fees and charges that are in the nature of a direct tax for the purpose of raising revenue." In other words, it defines what as fee or a charge would be.

What would prevent a municipality from levying a charge on drivers for road maintenance? What would prevent them from doing that in the legislation that you are proposing? I honestly can't see it. I can't see what stops a municipality from doing that.

**Hon Mr Leach:** What I can see causes it not to happen is this legislation because I've been advised, and I accept the advice that I have been given, that this legislation does not allow for that to happen. It just doesn't allow it to happen.

**Mr Rae:** The Premier has said that it is not the intention of the government to allow this to happen. At the same time, you said yesterday that you did not want to restrict the freedom of the municipalities and the autonomy of the municipalities to run their business as they see fit.

I'm saying, looking at it from the perspective of Ernestown—to give the example that was given by the Leader of the Opposition—what would stop them from saying: "A class of persons is drivers. A service we provide, an activity we carry out, is road maintenance"? What stops the municipality from saying, "We are going to charge drivers, whether we charge them at the pump, we charge them when they buy a car, we charge them when they take out a licence, however we decide to charge them"? There's nothing—as I read it—in this legislation that would stop a municipality from charging drivers for the simple possession of a car. There's nothing in the legislation that stops it. As I hear you saying, as I hear you responding, you don't want to limit the autonomy of municipalities from charging and levying those extra taxes. Is that not the purpose of the legislation?

**Hon Mr Leach:** We can do this all afternoon, but I'm telling you that the advice we're giving—by the way, if you're that good with roads, I'll get Palladini to give you a job in road maintenance.

As the member opposite mentioned, we know what we intended to do with this legislation and it was drafted to cover those intents. To charge a gasoline tax is just not allowed under this legislation. It just will not happen.

1430

#### EDUCATION POLICY

**Mr Bob Rae (York South):** I think we'll come back to this subject, but I have a question to the Minister of Education and Training.

I wonder if the minister can tell us, is it the intention of the ministry to redefine core curriculum and core programming when it discusses with school boards what education in the classroom is all about and what funding will, in fact, be provided by the ministry?

**Hon John Snobelen (Minister of Education and Training):** As the Minister of Finance announced in his November 29 statement, we are going to be working with, and in fact have been working with school boards across the province over the past few months, looking with them for ways they can deliver a better quality of education to the children of Ontario, ways they can do that more affordably on behalf of the taxpayers of Ontario.

Certainly, that's the kind of conversation we've been having with school boards over the past few months. We've asked school boards and others of our partners in education to submit their ideas on how we might make a better education system by the end of this month so that we can respond with a toolkit for education some time in the new year.

**Mr Rae:** A document has come to my attention described as a proposal for defining the core program for funding purposes, dated November 3, 1995, in which the following programs, which are now funded by the ministry, are now defined as being outside the core program. They include junior kindergarten; full-day kindergarten—the report says some parents may have to pay for full-day kindergarten—core French, grades 1 to 3; anglais, grades 1 to 4; international languages elementary; French immersion; extended French; as well as secondary school summer courses and coinstructional activities.

Let me ask the minister one particular question: Why, at this particular point in the history of our country, Canada, would it be the wisdom of the Ministry of Education that core French for young children, French immersion and anglais would now be considered less than defined, less than core, and unfunded programs? What particular sensitivity about national unity would bring the ministry to this stroke of genius?

**Hon Mr Snobelen:** The leader of the third party has just elevated allegations without foundation to a new height, I believe, in this House. He did not identify the document he has with him. If he'd like to send it over, I'd be more than interested in reading it.

I can speak to the first two issues that he brought up, which are junior kindergarten and kindergarten. Our

government has not announced any intention of reducing the kindergarten program across Ontario. As to junior kindergarten, we have very specifically committed to fulfilling all our obligations, the ones we spoke about, to the people of Ontario and that is to review junior kindergarten, to make it optional for school boards across the province and to fund it at the normal rate of grant while we're doing that review. I think our position is very clear on this.

**Mr Rae:** I'm happy to share this document with the minister if he hasn't seen it. It's a document that, as I understand it, has come to us from the Ministry of Education. The document has an executive summary which identifies the essential mandate of school boards as providing publicly funded education to children and youth. It proposes inclusion of some programs. It then goes on to say programs not included in the core are the courses that I read out: JK; full-day kindergarten; core French, grades 1 to 3; anglais, grades 1 to 4; international languages.

I'd like to ask the minister, what is this document? Why would a document of this kind be considered by the government of Ontario? Why would you be redefining the core program in such a way as to eliminate classroom funding for services and for education that are crucial for our young people? That's clearly the direction in which the ministry is headed.

You want to redefine "disability," you want to redefine what classroom education is, you want to redefine what a user fee is, and that's the way you keep your promises. I think it's wrong.

**Hon Mr Snobelen:** The only one examining that document is the leader of the third party. I've asked him to send it over. I don't know what document he's talking about.

#### WASTE TRANSFER APPLICATION

**Mr Dalton McGuinty (Ottawa South):** My question is to the Minister of Environment and Energy. I want to return to the matter I raised here yesterday. The minister will recall that I was concerned about Metro's application for a certificate of approval, which was originally rejected and then there had been some contact by the Premier's office with ministry officials and then the ministry officials granted the certificate of approval. I am particularly concerned here about appearances, because the company which stands to lose or gain in this matter has as its president Valerie Snobelen, who is the wife of the Minister of Education and Training.

There are a couple of letters in particular that I want to speak about. There is the original letter of denial, dated October 25, when Metro's application was denied. It says: "We cannot approve your proposal since it is likely that the operation of the waste transfer station would result in an adverse effect. Therefore, we request that you revise your proposal to ensure compliance." It goes on to say: "In accordance with subsection 9(2) of the act, please provide us with all of the required information by November 10, 1995. Otherwise, we will close your file."

If I look at the letter of December 1, 1995, which is the letter of approval, with signatures by the approvals branch—



**The Speaker (Hon Allan K. McLean):** Would you put your question, please.

**Mr McGuinty:** —it says, "Further to your letter dated November 29, 1995, I am confirming that we would be in a position to issue a certificate of approval for the above transfer station based on all of the information available to us, including our technical assessment of the application."

This letter says the file will be closed on November 10, and it says, "Thank you for the information we received on November 29, and pursuant to that, we're now going to grant you a certificate of approval."

**The Speaker:** Would you put your question.

**Mr McGuinty:** Why did your officials agree to extend a firm deadline in order to admit new information?

**Hon Brenda Elliott (Minister of Environment and Energy):** The issue here is one of trying to come to a way of solving a problem that was raised with regard to the operation of this facility. The original certificate of approval was granted to this operation on September 28, 1992, permitting the transfer of up to 200,000 tons of non-hazardous solid waste per year to the Commissioners Street transfer station.

On April 25, 1995, under section 9—my colleague is correct—under the Environmental Protection Act, there was an application submitted for three rooftop ventilators, which was different than the original application for operation. There has been ongoing concern that there was an odour problem emanating from this facility, and this is the discussion that's been ongoing between my ministry and this facility, to come to a conclusion as to the safe and best-operating mechanism under which this facility should conduct its business.

**Mr McGuinty:** Earlier today, I spoke with David Estrin, who is a senior partner with Gowling, Strathy and Henderson. He's considered by many to be the dean of environmental law in this country. He's a very careful man, and he keeps very careful notes. On November 15, which is a date after the denial of the certificate of application, after the contact by the Premier's office and before the grant of the certificate of approval, Mr Estrin had a telephone conversation with a senior ministry official in the approvals branch who said: "We are under the gun. We are under a lot of pressure to get the application approved very quickly." Minister, I'm asking myself, who would have put this official under the gun?

**Hon Mrs Elliott:** I would like to clearly acknowledge that my ministry did receive a request for information with regard to this from the Premier's office. It was a normal request for a briefing note and further information with regard to the article that appeared in the paper. It was part of a request for several items of briefing note material, which is a very common procedure, as my honourable colleague knows, on a regular basis.

I would like to indicate that on November 8 we did receive a call from David Estrin, the lawyer mentioned by my colleague, who was acting on behalf of the city of Toronto, requesting that a review be stopped until the city of Toronto had an opportunity to provide a submission.

Metro has a concern in this. The city of Toronto has a concern in this. The ministry is trying to provide the best solution for the residents who live near this property so this facility operates in the best possible way it can. That is why the deadline was extended: so we could receive submissions from all those who had concerns. It has nothing to do with the request from the Premier's office for information on this issue.

1440

#### FEDERAL HEALTH LEGISLATION

**Mr Bob Rae (York South):** I have a question for the Deputy Premier. I see him in the precinct but he's not in his seat. I'd like to ask him a question about his comments yesterday.

I want to ask the Deputy Premier exactly what he meant when he said—and I'm quoting from his remarks yesterday that were quoted in the Toronto Star today—"And maybe what we should be talking about having is a set of national principles and objectives as opposed to federal standards imposed by the federal government."

I wonder if the Deputy Premier can tell me, when he made those remarks, was he referring to the Canada Health Act, to the Canada assistance plan, to either or both, or which pieces of federal legislation was he talking about?

**Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader):** I was referring in general to all legislation dealing with social transfers to provinces. The leader of the third party may be interested to know that I believe virtually every province at the table yesterday agreed that as the federal government continues—it seems to be a process we're going through—to cut back on transfers to provinces, there has to be more autonomy given to individual provinces to determine their priorities, how they are going to spend a block or a pool of money that's given to them by the federal government.

Having said that, we do understand and appreciate, of course, that there have to be some national objectives and parameters, principles if you will, put in place, because I think part of being a Canadian is that you can go from one province to another and not lose your health care, not lose assistance etc. I think all provinces at the table were in agreement with that, and quite frankly I think the federal Minister of Finance said he would take that under advisement.

**Mr Rae:** This is an interesting shift in the government's position, because the Minister of Health has been telling us all the way through—in fact, within your Bill 26 legislation there's explicit reference to compliance with the Canada Health Act. The Minister of Health has said what a strong supporter he is of the Canada Health Act. As I understand it from the Deputy Premier, what he's saying is that he is now leading the charge in seeking amendments to the Canada Health Act.

Could the minister confirm that what he is talking about is that he wants the Canada Health Act to be changed, in his own words, to grant "more autonomy" to the province of Ontario? Is that what he's saying?

**Hon Mr Eves:** No, that's not what I'm saying. I was asked this question in a scrum after the meeting yesterday. It was pointed out to me, when the questioner was asking the question, that other provinces have found themselves in difficulty, one in particular being the province of Alberta with respect to certain provisions in the Canada Health Act, and the province of British Columbia with respect to provision of social assistance. I said the province of Ontario hadn't found itself in that position yet.

I was not saying this, requesting a specific change to any specific act on behalf of Ontario, but merely indicating that all provinces share a concern that as social transfers are reduced by the federal government, as provinces are required to pick up more and more of the share, the federal government has to be flexible in terms of the principles and objectives of all those social programs.

#### LICUOR CONTROL

**Mr Toby Barrett (Norfolk):** My question is to the Minister of Consumer and Commercial Relations. I have received inquiries from constituents, including our local citizens against drinking and driving, regarding the privatization of alcohol sales in Ontario. As a former consultant of the Addiction Research Foundation, I'm concerned about both misuse and abuse of alcohol. However, I must stress my concern is not an endorsement of the status quo. I do not believe that government is required to be in the business of selling alcohol as a means of controlling consumption and promoting public safety.

Many people believe that private sales mean corner store sales. They believe that young people can buy cigarettes there under age and will also buy alcohol. Minister, can you assure me that any review of the future of the LCBO and privatization properly addresses the control, regulation and enforcement of our liquor laws, concerns that are being raised by my constituents?

**Hon Norman W. Sterling (Minister of Consumer and Commercial Relations):** I know of the member for Norfolk's work at the Addiction Research Foundation before he was a member here, and his continuing interest in this issue.

I want to remind the House that when our party talked about the privatization of the LCBO, we set forth very clearly a specific requirement that the social concerns and the responsibility issues be addressed in any move towards privatization of the LCBO. I believe, as the member does, that social responsibility and public safety issues can be addressed outside of the historic rationale that we must be involved in the actual retailing of this product.

To the member for Norfolk's question of whether private sales or privatization means corner store sales: not necessarily. That may be one of the options the government considers, but that option has not been dealt with; it will be dealt with as we progress down the road. Obviously, there are concerns with regard to that kind of distribution as to the control over the product.

Can I assure you that any review of the LCBO will address these social issues? The answer to that question is yes.

**Mr Barrett:** Recently I had the pleasure of speaking in Simcoe to kick off Drug Awareness Week. The immediate concern of many who attended the event was the prospect of longer hours for alcohol sales and potential for Sunday LCBO openings. Many constituents in Norfolk, in particular the anti-drinking-and-driving movement, believe that greater accessibility leads to greater abuse. While this fact is debated, we all recognize the potential dangers of alcohol.

Minister, I know you share my concerns about addiction, underage drinking, and drinking and driving. Can you confirm for me and my constituents that these issues are being addressed by your ministry, and will municipalities and other stakeholders have a say with respect to any new extended hours of operation or possible regular Sunday openings?

**Hon Mr Sterling:** I say to the member for Norfolk, all of the stakeholders will have an opportunity to have their point of input. I want to say to the member that we are consulting and will consult with groups like Mothers Against Drunk Driving and the Addiction Research Foundation.

The Attorney General, as you know, has made a significant legislative promise with regard to dealing with drunk driving in this province, probably a more significant step than any other government has done in the last 20 years. We also are considering, however, the modernization of some of our liquor control laws.

We are the only jurisdiction in North America which has closing hours at 1 am. Consequently, in many of our border towns, we have a situation where young people who are at a bar go to another jurisdiction, for instance, the province of Quebec. This is very important in eastern Ontario. So we are considering those particular issues to ensure that we have the social responsibility but that we have laws which marry with other jurisdictions and make sense in this province.

We also are very cognizant of the tourist potential of this province and having reasonable consumption hours and opening hours for our establishments so we can attract our proper and fair share of the tourism business which is so important to our province.

1450

#### WASTE TRANSFER APPLICATION

**Mr Dalton McGuinty (Ottawa South):** My question is to the Minister of Environment and Energy again. It's on the same matter.

On December 4, there was a public meeting of Metro's environment and public space committee. At that time, Mr Thorne, Metro's deputy commissioner of works, advised the people there that your officials told him it would be okay, it would be permissible, to open up the waste transfer station even though air pollution equipment which had been approved under the certificate of approval had not yet been installed. Apparently there was some need to hurry this matter along.

The problem is that under subsection 9(7) of the Environmental Protection Act it's illegal for anyone to use or operate the waste transfer station unless the required certificate of approval has been issued and



complied with. Again, I'm concerned here with appearances.

Minister, why are you giving Metro special permission to break our environmental laws in this case?

**Hon Brenda Elliott (Minister of Environment and Energy):** My ministry has been working with Metro since May of this year with regard to obtaining approval for the air emissions from this particular waste transfer station.

My honourable colleague is correct. On December 1 the ministry did forward letters to the Metro officials—that's December 1—advising Metro that the revised proposal would meet the ministry requirements based on all the information available.

Clearly we have been negotiating with Metro for some time to find a solution to meet the emissions—it is a concern of ours. We want this facility to operate as best we can to meet the needs and the concerns of the neighbours. We have clearly told them that they have found the solutions we've been looking for.

**Mr McGuinty:** The minister didn't answer my question. I'll provide her with a few more facts which might provide some explanation as to why the need for haste in this matter.

Apparently, installation of the air pollution control equipment will take six months. That will take us to about June of this coming year. However, the waste haulage contract for Mrs Snobelen's company provides that the waste is to be hauled away effective February 1996.

Minister, in light of this new information and all the other information I've related to date in this House, do you not agree that this at least gives rise to the appearance of the exercise by someone in some way of undue influence which resulted in a certificate of approval being provided when it otherwise would not have been?

**Hon Mrs Elliott:** The ministry is not concerned with who hauls away the waste from any facility, with the exception of this: They must be certified haulers. It makes no difference to us which hauler it is as long as the hauler has the proper certification to operate in the appropriate way in the province of Ontario. What we are concerned with in this issue—and clearly we have been working hard. Clearly we want to hurry along with this facility because we realize waste management in Metro right now is in a difficult circumstance and we are trying to help them. In our view, they have found a solution. We are encouraging them to get this project up and running as quickly as we can, and we've made that very clear in our letter.

#### FOREST MANAGEMENT

**Ms Shelley Martel (Sudbury East):** I have a question to the Minister of Natural Resources, Northern Development and Mines. I want to follow up on a question that was raised by my colleague the member for Cochrane North yesterday, specifically the secret negotiations that your ministry is involved in right now to give the large forest companies in this province access to all of the timber in the crown management units.

Yesterday the minister told the House that he was not aware of any formal negotiation process. Minister, we

know that right now your ministry is negotiating with Stone Consolidated and Avenor for the crown management unit at Red Lake. We know you're negotiating with Stone as well for the crown management unit at Fort Frances. We also know that you're negotiating with E.B. Eddy, with Yaeger and with St Marys Paper on the crown management units in Sault Ste Marie and in Wawa.

I want to ask the minister again: Why is your government now involved in secret, backroom negotiations which will lead to the single biggest giveaway of timber in the history of the province of Ontario?

**Hon Chris Hodgson (Minister of Natural Resources, Northern Development and Mines):** Yesterday the question was from the member for Cochrane North, and he tried to portray a secret set of negotiations giving away control on crown land. There is no process that's secret or giving away crown land.

What there is, and as you would be fully aware, and the parliamentary assistant to the minister in the previous government would be fully aware—under Bill 171 there is a process that's set up to transfer from crown management units to sustainable forest licences. These are not secret negotiations. There's a process that's open. I announced two of them this August or September. They were negotiated under the last government and came to fruition this fall. The process is outlined under Bill 171 and we are following that process.

I would like to mention that we have no intention to give away control of crown land, but we do intend to ask those who profit from our common resources to assume a greater responsibility and increased costs to ensure the sustainability of our crown lands for future generations.

**Ms Martel:** It's obvious from the answer that the minister does not understand the difference between sustainable forestry licences and crown management units. We all know that some of Ontario's crown forests are directly licensed to and operated by the big forestry companies. We're talking today about the crown management units, the units which are administered and operated by Natural Resources staff and are used by small forestry companies and independent loggers to access wood for their livelihood, the same units that the crown looks after on behalf of the people of Ontario.

You are now in the process of trying to give away over eight million hectares of crown timber to the large pulp and paper and forestry companies in Ontario. I ask you today, will you stand in your place now and assume the responsibility you have for all of the people who are interested in the crown management units, stop the secret negotiations that are going on and ensure that the public will have open, free access to all of the negotiations that are going on now?

**Hon Mr Hodgson:** If the member would wish to consult with the former Minister of Natural Resources or the former parliamentary assistant, I can tell her that we're in full compliance with the sustainability act as was passed under Bill 171. I can also tell her that crown management units are talked about in Bill 171. The process that's being developed here will be according to that act. It calls for full public open houses.

The interests of small logging companies—and you do not have a monopoly on compassion. Last year, during the hearings, our party consistently brought this up as a concern with this new act. I can assure you that we are going to be concerned about small loggers that are a major force in rural communities and northern communities. The interests of these small logging companies are important to the government and open discussions will be held with them. When the terms and conditions of the sustainable forest licence are developed, a series of open houses will invite public comment from aboriginals, tourist outfitters and independent forestry people.

I want to make this clear, because I think this is important: This government is going to continue to negotiate sustainable forest licences with companies that are interested in taking increased responsibility for these licences. The companies that receive these licences will be required to follow strict environmental rules in sustainability regulations.

#### ASSISTANCE TO FARMERS

**Mr Gary Fox (Prince Edward-Lennox-South Hastings):** My question is for the Minister of Agriculture, Food and Rural Affairs. We all know that business people in our province, including farmers, are operating in a challenging and competitive time. What's being done to help farmers adapt to today's tough international business climate?

**Hon Noble Villeneuve (Minister of Agriculture, Food and Rural Affairs, minister responsible for francophone affairs):** I want to thank my colleague the member for Prince Edward-Lennox-South Hastings. He is concerned about farmers and businesses. Business people and indeed farmers are working in a very tough environment, and the Ministry of Agriculture and Food has set up a new program which will be known as Financing Your Future.

Throughout the months of January, February and March of this coming year, some classes and workshops will be held throughout rural Ontario for farmers to test the possibilities of expanding their businesses, becoming more efficient and indeed produce food for the masses at a more economical rate. So I think it's very important that the rural people of Ontario know, that indeed our farmers know that they will have the opportunity of attending programs that will provide them with some good advice into the future.

1500

**Mr Fox:** Could the minister elaborate on the kinds of programs that are being developed and what knowledge and tools will be provided?

**Mr John Gerretsen (Kingston and The Islands):** Tell him no.

**Hon Mr Villeneuve:** I'm amazed that the opposition really doesn't want this information to get out to rural Ontario. I'm amazed at this.

Financing Your Future workshops are interactive and they will be provided with guidance from financial institutions, OMAFRA staff and indeed some professional advice on expansion of businesses and the pitfalls that sometimes occur when you're expanding. They'll be

covering everything from computerized business analysis to budgeting and how lenders evaluate the credit applications.

I'd also like to remind the members that there are close ties between economic wellbeing of the province and of the farming community, and I want to advise the opposition that when things go well in rural Ontario, the province prospers.

#### RURAL ECONOMIC DEVELOPMENT

**Mr Peter North (Elgin):** My question is to the Deputy Premier. Minister, a couple of years ago, your Premier and the Minister of Agriculture, Food and Rural Affairs came to Elgin county, to a place called Sparta, and they talked a lot about your commitment to rural Ontario. In light of the idea that in Elgin county we're now faced with court closures and psychiatric hospital closures, can you reiterate your commitment to rural Ontario to me today?

**Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader):** Yes, but I'd refer this question to the Minister of Agriculture, Food and Rural Affairs, to whom the member opposite referred in his question.

**Hon Noble Villeneuve (Minister of Agriculture, Food and Rural Affairs, minister responsible for francophone affairs):** I want to remind the honourable member for Elgin that indeed the farm tax rebate stays at 75%. The doom-and-gloom-sayers were saying we would have lost that. The safety nets are staying in place. Indeed, the ministry wants to be part of the solution and not part of the problem. Yes, we have looked at some reductions in the ministry's budget, but we are serving and continue to serve rural Ontario as best we can and have good value for the dollar.

**Mr North:** We appreciate those kind words, but the fact of the matter is: ethanol commitment gone. The GRIP question, 85%; where is it? The idea of better policing in rural Ontario; I don't know. We talked about better services; we lose courts, we lose psychiatric hospitals, we lose conservation authorities. I don't know about better services.

But I do have a question, and since the Deputy Premier flipped it to you, I guess I'll give it to you. I want to know how it is that a member of your caucus knows about the decision about the psychiatric hospital coming out of St Thomas and going into London 10 days before it's announced by an independent body in the city of London.

**Hon Mr Villeneuve:** I'm afraid I'm a little bit out of my field in psychiatric hospitals. However, I can advise the honourable member that in half an hour I'll be meeting with our fact-finder on the ethanol program, which is not dead yet.

**Interjection:** What about the methane?

**Hon Mr Villeneuve:** It's not methane, sir; it's ethanol. I would suggest to you that you keep your ear to the ground on it.

#### HEALTH CARE FUNDING

**Mr Dwight Duncan (Windsor-Walkerville):** My question is to the Minister of Health. Minister, you've



repeatedly told this House that your government would make no cuts to health care. In the words of the Common Sense Revolution, "not one cent."

Yesterday, it was disclosed that close to 600 people in my community could lose their jobs at Windsor's two remaining hospitals. Both hospital administrations indicated that these job losses will be required to meet your ministry's proposed 18% budget reductions. Both hospitals have indicated that they will need to cut \$18 million from their respective budgets over the next two years to accommodate the cuts your government has made. These cuts, Minister, are in addition to the savings that would have been found otherwise in the reconfiguration.

Will the minister tell this House what you say to the 600 families who could lose their livelihood as a result of your cuts, cuts that you promised wouldn't happen, and what will you do to ensure that quality health care continues to remain available to the people of my community?

**Hon Jim Wilson (Minister of Health):** On the latter part of the honourable member's question, his district health council has taken the lead in this province to ensure that quality health care remains in Windsor-Essex.

You kind of have your own question answered in terms of your district health council's at me for tens of millions of dollars on the capital side, they know that money has to flip out of the operating side from around the province, and the figures that you suggest for your hospitals are speculation at this point, given that the final formula is not done.

For the first time in this province, in the Finance minister's announcement, we have said the cuts will not be across the board; they will be tied to restructuring and they will be targeted. That's the agreement we have with the Ontario Hospital Association. We're working to make sure that the budget reductions on the transfer side the Finance minister has announced are tied very much to the restructurings, and your district health council has very much been a leader in restructuring in this province.

**Mr Duncan:** The minister obviously doesn't understand what's happening here. This is in addition to the reconfiguration. The hospital administrators were quoted yesterday as saying these cuts are a direct result of your budget cutbacks.

You, yourself, in this House have said repeatedly that you will not guarantee the reinvestment of the savings found in the reconfiguration in our community. Our community is deficient; it's deficient in community-based services.

Minister, will you admit now that as a result of your government's budget cutbacks, 600 families in my community will be without jobs and quality health care is threatened? Will you acknowledge too, sir, that the other 25 communities—and those 25 communities ought to be listening. They ought to know that they can't trust this minister. They can't believe what you're saying in your budget documents. Will you acknowledge that you're cutting health care over and above reconfiguration? You are, sir. Our hospital administrators say it. What do you say in response to our community?

**Hon Mr Wilson:** It is clear we have sealed the health care budget at \$17.4 billion. As of today we've not taken a penny out of hospitals. Those cuts in transfer payments start next year.

*Interjections.*

**The Speaker (Hon Allan K. McLean):** Order.

**Hon Mr Wilson:** We're working on putting the formula together with our partners to tie it to restructuring where we can. I'm working very hard to try and find your community the capital dollars it needs to move four hospitals into—

**Mr Duncan:** Thirty-six million dollars.

**The Speaker:** Order, order. The member for Windsor-Walkerville is completely out of order. I won't warn him again. That's it. Minister?

**Hon Mr Wilson:** The budget's been sealed at \$17.4 billion, as was our commitment. Your party said \$17 billion in the red book, so you would have been cutting another \$400 million. We've not cut health care. We are moving money from the operating side to the capital side. Your community has asked for millions of dollars in community-based care, and that's where the jobs are going to come from.

*Interjections.*

**The Speaker:** Order. I have warned the member once before. He continued. I'll have to name the honourable member. Would he please leave the Legislature.

*Mr Duncan left the chamber.*

#### JOB CREATION

**Mr Tony Silipo (Dovercourt):** I guess I have the dubious honour of bringing question period to a close today with a question to the Minister of Economic Development and Trade. I want to talk to him in the few seconds that are left about jobs, which is another one of the broken promises that we see from this government.

The Common Sense Revolution and the economic statement are ripe with promises about job creation, and yet the government's own figures in the economic statement indicate that over the next three years fewer than 200,000 new jobs will be created. So I think we can ask, first of all, where the other 500,000 jobs are going to come from. But in addition to that, what this government is doing is actually cutting jobs, not only through the cuts in services that we've seen, but now we know specifically in the private sector. I want to bring to the minister's attention, very briefly, one specific instance, and it's one of a number.

A company called Seragen Bio-Pharmaceuticals, which was going to locate in Ontario—it's a biotechnological firm developing drugs that are used in the treatment of cancer and skin diseases—has been denied a \$3-million investment through Innovation Ontario Corp, which would have created an investment in Ontario of some \$30 million and created some 100 jobs in Ontario in research, development and manufacturing, some well-paid jobs. So for a pure investment of \$3 million, the government is denying this province 100 jobs and \$30 million worth of investment.

Where is the common sense in taking that approach that is cutting jobs in addition to not creating—

**The Speaker (Hon Allan K. McLean):** The question has been asked.

**Hon William Saunderson (Minister of Economic Development, Trade and Tourism):** I want to assure the member for Dovercourt that we are committed to creating 725,000 jobs in our first mandate. I can tell you that we've been using cautious and careful economic assumptions to make that. Employment is projected to grow by 253,000 new jobs in the 1995-97 time frame, and thereafter we will reach the 725,000 new jobs.

#### LEGISLATIVE PAGES

**The Speaker (Hon Allan K. McLean):** Could I have the attention of the House just for a minute, please. I would like for you to thank all the pages who have served in this last session.

1510

#### PETITIONS

##### HIGHWAY SAFETY

**Mr Frank Miclash (Kenora):** My petition is to the Legislative Assembly of Ontario. It joins the many thousands of petitions I've presented to the Legislature and it reads:

"Whereas the Ministry of Transportation is intent on reducing northern winter road maintenance and services; and

"Whereas such downgrading places the lives of northern residents at undue and unnecessary risk;

"We, the undersigned, petition the Legislative Assembly of Ontario to disallow these reductions in service and to guarantee that winter roads across the northern region of the province receive the necessary maintenance to ensure the safe passage of drivers."

I affix my name to this petition as well.

##### PUBLIC LIBRARIES

**Mr Gilles Bisson (Cochrane South):** I have a petition here addressed to the Legislative Assembly of Ontario from the people of Schumacher.

"Whereas provincial government cutbacks are forcing the library system with severe financial restraints that will result in a threat to our public library system;

"Whereas we are opposed to any closure of our library system;

"Therefore, be it resolved:

"We, the people who have affixed our signatures on this petition, are opposed to the provincial government cutbacks and demand that the Mike Harris government reconsider its decision to cut municipal transfers that will in turn put in jeopardy our public library system."

I affix my signature to this petition.

##### ST JOSEPH'S HEALTH CENTRE

**Mr Derwyn Shea (High Park-Swansea):** In the past I've had the honour to rise and speak in this House on behalf of Runnymede hospital and Our Lady of Mercy. Today, I present a petition to the Legislative Assembly on behalf of thousands and thousands of residents of High Park and Parkdale, and the petition reads as follows:

"To the Legislature of Ontario:

"Whereas the Metro Toronto District Health Council has proposed to close services at a number of Toronto

hospitals, particularly affecting seniors, women and services for low-income people; and

"Whereas the Metro Toronto District Health Council has proposed to close Our Lady of Mercy wing of St Joseph's Health Centre and cut in-service programs for chronic care patients; and

"Whereas the Metro Toronto District Health Council has proposed to transfer inpatient paediatric services out of St Joseph's Health Centre's community;

"We, the undersigned, petition the Legislature of Ontario as follows:

"We oppose the closure of any beds or services at St Joseph's Health Centre and at Metro hospitals generally and we oppose any reduction in funding to Ontario hospitals."

#### TAX REDUCTION

**Mr John Gerretsen (Kingston and The Islands):** I have a petition that's signed by 50 residents of my riding, and it reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas acknowledging the serious situation in Ontario with regard to the size of the present deficit; and

"Whereas being conversant with the fact that transfer payments from the federal government are being drastically cut and resulting in an acute need for the overhaul and streamlining of Ontario government expenditures; and

"Whereas due to changing world trade patterns, the economy of Ontario is in a state of transition and not performing at top capacity, thus creating a situation where numbers of Ontarians are unemployed and many families including their children are suffering great hardship;

"We, the undersigned residents of Ontario, petition the Legislative Assembly of Ontario to take into account the suffering of the underprivileged residents of Ontario, particularly the children, and to consider the recent 20% cut to their incomes. Further, to postpone indefinitely, in the name of compassion, the tax rebate of 30% promised in the recent election, thus enabling the largest possible number of Ontarians to be properly fed, clothed and sheltered."

I have attached my name to it.

#### COMMON SENSE REVOLUTION

**Mr David Christopherson (Hamilton Centre):** I have a petition signed by over 100 Ontarians from the community of Bracebridge and Orillia organized by Henrietta Elliott and including seniors at the Legion Crest apartment building in Orillia.

"Whereas Mike Harris said on May 30, 1995, 'If I don't live up to anything that I have promised to do and committed to do, I will resign';

"And whereas Mike Harris promised on May 3, 1995, 'No cuts to health care spending,' but in his November 29 economic statement we see \$1.3 billion or 18% in cuts to hospital spending over the next three years and a further \$225 million cuts from the health care budget;

"And whereas Mike Harris has clearly broken his promise to defend health care cuts in funding;



"And whereas Mike Harris promised in the Common Sense Revolution that, 'This plan will create more than 725,000 new jobs,' but in his November 29 economic statement we see a prediction of only 253,000 jobs created over the next three years and an unemployment rate of 8.6% in two years, which is the same as it is today;

"And whereas Mike Harris has clearly broken his promise to create significant jobs in this province;

"And whereas Mike Harris promised in the Common Sense Revolution that, 'Aid for seniors and the disabled will not be cut,' but in his November 29 economic statement Mike Harris is cutting the Ontario drug benefit plan and making seniors and the vulnerable pay for their drugs;

"And whereas Mike Harris has clearly broken his promise to seniors and the disabled;

"We, the undersigned, demand that Mike Harris keep his word and resign immediately."

I agree and proudly affix my signature to this petition.

#### LABOUR LEGISLATION

**Mr Ernie Hardeman (Oxford):** To the Legislative Assembly of Ontario:

"We, the undersigned, petition the Legislative Assembly of Ontario to urge the Minister of Labour to withdraw Bill 7."

It's signed by 105 residents of Oxford county.

#### MALPRACTICE INSURANCE PREMIUMS

**Mrs Elinor Caplan (Oriole):** I have a petition from hundreds of residents in the Orangeville area and it says:

"We petition the Legislative Assembly.

"We are a group of concerned family physicians and obstetricians of Orangeville who wish to express our alarm at the potential crisis which will likely result from the Ontario government's decision to withdraw funding support for malpractice insurance. We wish that the government and the public be made aware of the real and immediate risk that obstetricians will be unable to economically practise in Orangeville. The consequences of a lack of obstetrical support to family physicians doing deliveries may result in the loss of obstetrics in Orangeville. The facts: malpractice insurance premiums have recently reached \$24,000 per year for obstetricians."

They want to deliver additional facts, and I will not labour the time in this House. I use the word "labour" advisedly.

"Insurance premiums should not compromise patient care. There is a serious risk that the Orangeville obstetricians will no longer be able to afford to provide obstetrical services and that the public will be unable to receive any local obstetrical care after January 1, 1996, if the government's proposal is passed."

I table the petition by the citizens of Orangeville on behalf of the petition of their doctors.

"The Ontario government needs to know the concerns.

"We, the undersigned, disagree with the government's proposal to discontinue financial support for physicians' malpractice premiums."

I table this for consideration and I add my support to this petition.

1520

#### ST JOSEPH'S HEALTH CENTRE

**Mr Rosario Marchese (Fort York):** I have a petition signed by approximately 2,000 people and it reads:

"Whereas the Metro Toronto district health centre has proposed to close services at a number of Toronto hospitals, particularly affecting seniors, women and services for low-income people; and

"Whereas the Metro Toronto DHC has proposed to close Our Lady of Mercy wing of St Joseph's Health Centre and cut in-service programs for chronic care patients; and

"Whereas the Metro Toronto DHC has proposed to transfer inpatient paediatric services out of St Joseph's Health Centre's community;

"We, the undersigned, petition the Legislature of Ontario as follows:

"We oppose the closure of any beds and services at St Joseph's Health Centre and at Metro hospitals generally, and we oppose any reduction in funding to Ontario hospitals."

I sign my signature to that.

#### DANGEROUS OFFENDER LEGISLATION

**Mr Bill Grimmett (Muskoka-Georgian Bay):** I present a petition on behalf of the member for Simcoe East. This petition has been signed by the members of the Orillia Canadian Club and in accordance with the standing orders, I'll summarize the petition as requesting that proceedings be brought to have Roch Theriault declared a dangerous offender.

#### ADULT EDUCATION

**Mr Michael A. Brown (Algoma-Manitoulin):** I have a petition that I'm particularly pleased to be presenting this afternoon. I'm presenting this on behalf of Alvin Curling, the member for Scarborough North.

"We, the undersigned, are opposed to the proposed cuts to the funding of daytime adult education credit courses. We believe they would be counterproductive and detrimental and will decrease the quality of education available to adults in need of a second chance.

"We need the dedication, stability and quality of staff input that is provided by the community environment at Monsignor Fraser College that allows us to become productive members of society. If you deny us the second chance at quality daytime education, you are discriminating against us on the basis of age.

"We are urging you to maintain the current level of funding allocated to MSSB Fraser College, where students are real, not phantom."

I've affixed my signature and this petition is supported also by the member for Scarborough North.

#### COMMENTS OF MINISTER RESPONSIBLE FOR WOMEN'S ISSUES

**Mrs Marion Boyd (London Centre):** On behalf of my colleague, the member for Beaches-Woodbine, I'd like to present the following petition to the Legislative Assembly of Ontario:

"Whereas six women present at a meeting held by the minister responsible for women's issues, Dianne

Cunningham, at her constituency office on October 25, 1995, agree that they heard the minister state, 'Within the context of this government, you need to understand that groups or agencies that are seen not to be working with this government, providing an oppositional voice...will be audited and their funding eliminated'; and

"Whereas the minister responsible for women's issues denies having made this statement; and

"We, the undersigned, request that the government establish a legislative committee to determine whether the minister responsible for women's issues abused her authority as a minister of the crown by making threatening and intimidating remarks at the meeting described above."

This is signed by 296 constituents of Beaches-Woodbine and it joins the hundreds of other signatures that have come before this Legislative Assembly on this matter.

#### COLLEGE OF TEACHERS

**Mr Jean-Marc Lalonde (Prescott and Russell):** I am presenting this petition on behalf of John Cleary, my colleague from Cornwall, and it comes from the Association of Teachers of Cornwall and Area.

"To the Parliament of Ontario:

"Whereas the teachers of Ontario are already accountable to the province of Ontario through the Ontario Teachers' Federation; and

"Whereas the proposed College of Teachers would create a new, unneeded and costly bureaucracy;

"We, the undersigned, petition the Parliament of Ontario as follows:

"To refrain from enacting legislation with respect to the College of Teachers."

I also add my signature to this petition.

#### PUBLIC LIBRARIES

**Mr Gilles Bisson (Cochrane South):** I will quickly go through this petition because I know there's a member from the Liberal Party who wants to go here.

I have another petition addressing the Legislative Assembly of Ontario and basically it is about the proposed closure of the Schumacher Public Library as a result of the cuts of the provincial government, and I affix my signature to that petition.

#### RENT REGULATION

**Mr Mike Colle (Oakwood):** A petition to the Legislature of Ontario:

"We, the undersigned citizens of Ontario, do not want the rent-control-geared-to-income program to be eliminated. This program provides decent housing for low- and middle-income tenants, consisting of 40% seniors, 42% families and 18% special needs and disabled tenants.

"We believe a change to the US-style voucher system proposed by this government will destroy our communities and change the fabric of life in Ontario."

I affix my name to this petition.

#### COMMON SENSE REVOLUTION

**Mr Tony Silipo (Dovercourt):** I have a petition to the Legislative Assembly of Ontario signed by some 40 citizens from the province.

"Whereas Mike Harris said on May 30, 1995, 'If I don't live up to anything that I've promised to do and committed to do, I will resign'; and

"Whereas Mike Harris promised on May 3, 1995, 'No cuts to health care spending,' but in his November 29 economic statement we see \$1.3 billion or 18% in cuts to hospital spending over the next three years and a further \$225-million cut from the health care budget; and

"Whereas Mike Harris has clearly broken his promise to defend health care cuts in funding; and

"Whereas Mike Harris promised in the Common Sense Revolution that, 'This plan will create more than 725,000 new jobs,' but in his November 29 economic statement we see a prediction of only 253,000 jobs created over the next three years and an unemployment rate of 8.6% in two years, which is the same as it is today; and

"Whereas Mike Harris has clearly broken his promise to create significant jobs in this province; and

"Whereas Mike Harris promised in the Common Sense Revolution that, 'Aid for seniors and the disabled will not be cut,' but in his November 29 economic statement Mike Harris is cutting the Ontario drug benefits plan and making seniors and the vulnerable pay for their drugs; and

"Whereas Mike Harris has clearly broken his promise to seniors and the disabled;

"We, the undersigned, demand that Mike Harris keep his word and resign immediately."

I affix my signature to this as well.

#### SPOUSAL BENEFITS

**Mr John Gerretsen (Kingston and The Islands):** I have a petition to the Legislative Assembly of Ontario and it states:

"We, the undersigned, petition the Legislative Assembly as follows:

"To rescind changes to the family benefits and general welfare acts which refer to living arrangements of adults of the opposite sex. We consider these changes to be gender biased and in violation of the Canadian Charter of Rights and Freedoms, section 6, paragraph b, because they inflict an unreasonable residency requirement for the receipt of publicly provided social services."

I've signed my name to it.

#### PRIVATIZATION OF CORRECTIONAL FACILITIES

**Mr Gilles Bisson (Cochrane South):** I have another petition here from the people of Matheson addressed to the Legislative Assembly of Ontario.

"Whereas the government of Ontario has indicated a need to privatize crown assets and programs; and

"Whereas the provincial government plans to remove successor rights via Bill 7 and therefore enabling widespread privatization; and

"Whereas the Common Sense Revolution did not address the topic of privatization;

"We, the undersigned, petition the government of Ontario to eliminate any rumoured or actual intentions to privatize the provincial correction facilities and therefore ensuring that the people of this province's peace of mind can be kept, knowing that the government of Ontario is



still responsible for the safety and security of the province."

I affix my name to that petition.

#### REPORTS BY COMMITTEES

##### STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

Mr Arnott from the standing committee on the Legislative Assembly presented the committee's report and moved its adoption.

**Mr Ted Arnott (Wellington):** Under standing order 108(b), it's the responsibility of the standing committee on the Legislative Assembly to issue a report to the assembly to assign to the standing committees of the House the various ministries and government offices, and this is what this report accomplishes.

**The Speaker:** Mr Arnott moves adjournment of the debate. Is it the pleasure of the House that the motion carry? Carried.

#### INTRODUCTION OF BILLS

##### EDUCATION QUALITY AND ACCOUNTABILITY OFFICE ACT, 1995

##### LOI DE 1995 SUR L'OFFICE DE LA QUALITÉ ET DE LA RESPONSABILITÉ EN ÉDUCATION

Mr Snobelen moved first reading of the following bill:

Bill 30, An Act to establish the Education Quality and Accountability Office and to amend the Education Act with respect to the Assessment of Academic Achievement / Loi créant l'Office de la qualité et de la responsabilité en éducation et modifiant la Loi sur l'éducation en ce qui concerne l'évaluation du rendement scolaire.

**The Speaker (Hon Allan K. McLean):** Is it the pleasure of the House that the motion carry? Carried.

Is there a short statement?

**Hon John Snobelen (Minister of Education and Training):** Inasmuch as there was a minister's statement on this, I have no further statement at this time.

##### ONTARIO COLLEGE OF TEACHERS ACT, 1995

##### LOI DE 1995 SUR L'ORDRE DES ENSEIGNANTES ET DES ENSEIGNANTS DE L'ONTARIO

Mr Snobelen moved first reading of the following bill:

Bill 31, An Act to establish the Ontario College of Teachers and to make related amendments to certain statutes / Loi créant l'Ordre des enseignantes et des enseignants de l'Ontario et apportant des modifications connexes à certaines lois.

**The Speaker (Hon Allan K. McLean):** Is it the pleasure of the House that the motion carry? Carried.

Does the minister have a short statement?

**Hon John Snobelen (Minister of Education and Training):** Inasmuch as I have made a minister's statement to this House in the past, I have no further statement at this time.

1530

**Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader):** Mr Speaker, I believe there is unanimous consent to revert to motions to deal with committees during the break.

**The Speaker:** Do we have unanimous consent? Agreed.

#### MOTIONS

##### STANDING COMMITTEE ON FINANCE AND ECONOMIC AFFAIRS

**Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader):** I move that the standing committee on finance and economic affairs review and report on the matter of automobile insurance as set out in the Ministry of Finance documentation and draft legislation to be filed with the clerk of the committee.

**The Speaker (Hon Allan K. McLean):** Is it the pleasure of the House that the motion carry? Carried.

#### COMMITTEE SITTINGS

**Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader):** I move that the following committees be authorized to meet during the winter adjournment in accordance with the schedule of meeting dates agreed to by the three party whips and tabled with the Clerk of the assembly to examine and inquire into the following matters:

Standing committee on administration of justice to consider Bill 19, An Act to repeal the Advocacy Act, 1992, revise the Consent to Treatment Act, 1992, amend the Substitute Decisions Act, 1992 and amend other acts in respect of related matters;

Standing committee on estimates to consider estimates of the ministries and offices selected in accordance with the standing orders and the order of the House dated November 2, 1995;

Standing committee on finance and economic affairs to consider matters related to pre-budget consultation and to consider the matter of automobile insurance pursuant to the order of the House dated December 14, 1995;

Standing committee on government agencies to consider the operation of certain agencies, boards and commissions of the government of Ontario and to review intended appointments in the public sector;

Standing committee on the Legislative Assembly to consider matters related to the security of the legislative precincts and matters related to order and decorum and the conduct of members and the disciplinary powers of the Speaker;

Standing committee on the Ombudsman to consider the report entitled Review of the Office of the Ombudsman dated April 1993 and other matters relating to its permanent order of reference as set out in standing order 106(h);

Standing committee on public accounts to consider the annual report of the Provincial Auditor;

Standing committee on resources development to consider Bill 20, An Act to promote economic growth and protect the environment by streamlining land use planning and development system through amendments related to planning, development, municipal and heritage matters;

Standing committee on social development to consider a matter designated pursuant to standing order 125 relating to the effect of funding cuts on children and children's services in the province of Ontario.

**The Speaker (Hon Allan K. McLean):** Is it the pleasure of the House that the motion carry? Carried.

## COMMITTEE REPORTS

**Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader):** I move that the committees be authorized to release their reports during the winter adjournment by depositing a copy of any report with the Clerk of the assembly, and upon the resumption of the meetings of the House the Chairs of such committees shall bring any such reports before the House in accordance with the standing orders.

**The Speaker (Hon Allan K. McLean):** Agreed? Carried.

## ORDERS OF THE DAY

## VICTIMS' BILL OF RIGHTS, 1995

CHARTRE DE 1995 DES DROITS  
DES VICTIMES D'ACTES CRIMINELS

Mr Harnick moved third reading of Bill 23, An Act respecting Victims of Crime / Projet de loi 23, Loi concernant les victimes d'actes criminels.

**The Speaker (Hon Allan K. McLean):** Is there any debate? Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

LAND USE PLANNING  
AND PROTECTION ACT, 1995LOI DE 1995 SUR LA PROTECTION  
ET L'AMÉNAGEMENT DU TERRITOIRE

Resuming the adjourned debate on the motion for second reading of Bill 20, An Act to promote economic growth and protect the environment by streamlining the land use planning and development system through amendments related to planning, development, municipal and heritage matters / Projet de loi 20, Loi visant à promouvoir la croissance économique et à protéger l'environnement en rationalisant le système d'aménagement et de mise en valeur du territoire au moyen de modifications touchant des questions relatives à l'aménagement, la mise en valeur, les municipalités et le patrimoine.

**Mr Michael A. Brown (Algoma-Manitoulin):** I am delighted to have an opportunity this afternoon to make a few brief comments on the bill. Obviously the first comment that any member would want to make about this bill is that it has an extraordinary title of extraordinary length.

Having said that, one of the problems that we all see when we're talking about planning matters is essentially that we see planning matters from the perspective of our own communities. Very often those planning matters are not presented in an effective way, for whatever reason, representing the needs of rural northern Ontario.

For example, if you look at the riding of Algoma-Manitoulin, much of our riding is served by various planning boards, but there are areas in unorganized territories, there are areas that are organized without planning boards and, to them, this chatter that we're having about particular bills is not terribly relevant.

We talk about streamlining, but one of the greatest problems in streamlining for those communities who are not served by direct planning boards is that, for example, in the community of Rutherford and George, better

known as Killarney to most of the members, you would find that severances and those kind of planning activities are done directly by the ministry itself.

If you've ever had the frustration of dealing with the ministry, which operates out of Toronto, and are trying to describe to them what it is exactly you wish to do and trying to describe to them what the property in fact looks like and trying to describe to them exactly how in your community this is appropriate, you'd find that there is a gap in perception that is quite incredible. I've had some opportunities to try to expedite decisions from the ministry and one of the difficulties is, they have no opportunity to go and actually have a look at the property.

I think members presume that if you're asking for a severance or are concerned about a zoning matter or whatever, that somebody, who's making the decision, will actually look at the piece of property. I know in the planning areas where we do have planning boards, that, of course, is done as a matter of course. But the fact is that the people who are making these decisions in Toronto never have the opportunity to actually go out and look at the property that is the subject of an application.

As you can imagine, this makes for huge delays as they wait for various ministries to send them reports. They are often confused because they don't quite understand the report of a particular ministry. There are constant letters going back and forth, most of which could be resolved if someone who is granting the authority could actually go out and look at the piece of property. It's not rocket science. One of the things that disappoints me about this act is there's nothing in that to address that particular concern that you find in both organized and unorganized townships in my part of the world.

I think that as we sit here, we have to consider that the appropriate development of all Ontario should be our reason for considering planning matters. Certainly this inhibits many of my smaller villages and hamlets and indeed rural areas from progressing, as they have very great difficulty even communicating their particular concerns to a ministry that's located down here in the largest metropolitan area in the province, and most people have absolutely no conception of what it is to develop some land in, for example, Killarney. They also have some difficulties in other unorganized townships, but we won't get into that.

1540

I'm quite amazed that, if we look through this act, there is really nothing in it to address the particular concerns of my constituents, who have great difficulty dealing with the ministry. It's almost a "Beam me up, Scotty." There is just too much distance between Toronto and the people in the communities who are trying to develop and trying to do it in an appropriate manner.

I've had consent applications drag on literally for years. To my mind, it was just a simple matter of someone from the ministry being able to go out, have a look at that particular piece of property and say yes, this is either appropriate or inappropriate, and make a decision. The fact is, the decisions just almost take an interminable amount of time, and therefore, many people don't even bother, because they don't believe the process will work for them or at least work for them in a timely manner.



I would wonder why a minister who is trying to streamline an act is not trying to address those very real issues to the constituents whom I serve and many other rural members serve. I'm not as familiar with the situation in southern Ontario, but across northern Ontario this is a real problem. It's a real problem that's not being addressed.

I say to the minister, you should be putting forward some streamlining or at least bureaucratic procedures that ensure that there are timely answers to those communities in the rural areas of this province, particularly the rural areas in northern Ontario, that aren't directly served by planning boards. One of those might be that they could be included in a local planning board that does exist.

The example I used of Killarney is a good one, I think, in that the Manitoulin planning board, which has functioned well over the period of its existence and which is a combination of all the organized and unorganized areas of the district of Manitoulin with the exception of Killarney, could in fact probably make appropriate decisions for Killarney. I shouldn't say probably—I know it would. The ministry should look at providing the funding to the Manitoulin planning board and in particular to the township so they can prepare the secondary plan under the official plan of the district of Manitoulin so that Killarney could be serviced in an expeditious and relevant way.

The other thing I think members should know is that there are official plans across this province that in most cases have time lines on them. They are supposed to be reviewed and updated at various terms, but I think the most common one is in 10 years. If you look at particularly in my area, those updates are long overdue. They've actually passed the point that the plan needs to be looked at again.

This is not an inexpensive exercise. It is an exercise that requires large amounts of public dollars to be spent in order to update official plans. We all know that we want these done appropriately and that it is an expensive proposition and that the tax base of places like the township of Spanish River or the township of Shedden just will not support the kind of expenditure that would be needed to update official plans, particularly in light of what the Minister of Finance is saying regarding transfers to municipalities.

I wanted to have an opportunity to say this: The transfers to municipalities that are to go down, as I understand it, by some 44% to 47%, depending on who did the math, has a particular effect on these very small townships that I'm talking about. The township of Spanish River, for example, extends from just about the edge of Espanola all the way to the Algoma district line, a considerable distance. The people live in a narrow band, relatively speaking, along Highway 17. In that area, their total operating budget in this township is about \$1 million a year. A million dollars a year is what it takes to operate that township.

It is not a township that has large layers of administration, obviously. It does not have a large number of people working on its road crews, but do you know what? In

that very small township, in terms of population, in terms of assessment, they receive about \$675,000 of their \$1 million from the province of Ontario.

If you say to that township, "We are going to cut the amount of revenue you receive from the province of Ontario by half," they have lost fully one third of the money available to them to provide services, and the services they provide are adequate but certainly no one would say they're luxurious and no one would say that they are being delivered in a manner that is expensive.

They will not have the opportunity, I would suggest to the government members, of finding the kind of cost savings that somehow Mr Eves believes are out there. It can't happen. It won't happen. They really provide just the basic services the way they are.

So if you take virtually half the provincial support from this community, you can be guaranteed that the property tax increase to maintain the most basic of services in that township will be large. It will be a tax increase dictated not by the councillors that are doing their best to find the most effective way to deliver those services, but dictated by the government of Ontario, by Mike Harris and by Mr Eves, the Minister of Finance.

I think that is the strategy that appears to be coming, the downloading of responsibilities to the local municipality will become extraordinary, absolutely extraordinary, and will give local councillors no option at all but to dramatically increase in those small areas where the provincial support is a huge part of their budget and the services that they provide not much more than basic services. There will be no alternative.

Mr Harris wants the finger to be pointed at those local reeves, the local council and say, "It's your fault." He wants to blame the tax increases that are coming on the local council.

I would suggest to you that that is at the very most a very, very cynical, political way to operate. And that is what the message to municipalities contained in both the financial statement and in Bill 26 is, that you are going to have to tax your people for things that used to be equalized across the province of Ontario.

I see no reason that my constituents, the constituents in the rural north, should not have a level of service that is adequate, why they should not be able to live in this province and enjoy the same kind of benefits in this province that everybody else in Ontario deserves at a property tax basis that is similar to what other Ontarians pay for those services.

I would suggest, if the minister and the government continue along this route, not only will the Planning Act become virtually useless, there will not be any development in any of these areas because no one will develop anything at the kind of property tax rates that are going to be imposed upon those people in those townships.

For me, I represent I believe it's somewhere between 20 and 25 small communities that are in that category. I've told my constituents, "I think you should frame your municipal property tax bill for 1995, because you're never going to see another one like it." There will never be any one that is this low.

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I have never heard anyone in my constituency say property taxes are too low right now. It just doesn't happen. My people in my constituency, the fine constituency of Algoma-Manitoulin, believe they're paying too much in property taxes and I bet every member in this place has constituents who believe, probably the majority of his constituents or her constituents believe, that they're paying too much in property tax.

I can't understand how the government believes this Planning Act is going to do anything to increase the amount of opportunities for development, for the development of housing, for the development of business in this province, when it is clearly the government's agenda on the other hand to increase property taxes across the entire province.

More particularly, in the rural areas, where—user fees. What are we going to put user fees on? In the township of Billings, where I live, I guess we could pay a user fee to have the snowplow come around, or I guess when I take my garbage to the local dump on Sunday afternoon I could pay per bag as I went in to see my favourite person who operates the Billings township dump. But that's about it. I can't really think of what other services that township provides. We have a library. I suppose my children and the senior citizens, who are the ones who use that library the most, would be happy to pay a user fee, but frankly I don't expect so, and my reeve, Aus Hunt, tells me there isn't much potential for user fees, so the property tax base is going to be the one it hits on.

You've come with this Planning Act. How does it affect my people? Will we get more severances more easily? I think we would be happy with that. Do I believe it will happen? Not a chance. The government is committed to reviewing the seven policy papers and changing them. I think that's a good idea, but that isn't going to happen tomorrow. It's going to take government spending. It's going to take some time. It won't happen overnight. There needs to be some public discussion of that to make sure the policy papers are appropriate. You think that's going to happen overnight? No, but our property tax increase is going to happen overnight. You've got it.

I'm from a business background; I know about business. When I go out and talk to my friends in the business community, they say, "I just don't like the payroll taxes; gosh, they're awful," and, "I don't like the corporate income tax; yuck, that's awful." But when I talk to businesses about what they really dislike more than anything, it's fixed costs, costs you can do nothing about. If the economy goes up or the economy goes down, those costs are the same and I can do nothing about it. What a difference a large increase in property tax at the local level will mean. That is a fixed cost that they can do absolutely nothing about.

**Mr Mario Sergio (Yorkview):** More taxes.

**Mr Michael Brown:** Yes, it's more taxes, huge taxes.

**Mr Sergio:** For less services.

**Mr Michael Brown:** Yes. My colleague from Yorkview says, "And less services." So now the business-

man is going to be reaching into his pocket to pay for all kinds of things that some municipality somewhere might decide he should pay.

In terms of competitiveness, I think the business community will find increases in property taxes hugely distasteful and hugely harmful to the way people do business in this province. I think it will make us less competitive, not more competitive.

This government is a government of contradictions. They say one thing and then contradict it almost immediately. "We're going to make planning easier. We're going to streamline it." Boy, you can get your approvals quicker, but nobody's going to be asking for them. I don't know whether anybody over on the other side gets that.

As we go through the act itself—and, to be clear, there is a need for a new act. Our party opposed the previous government's attempt. We have no problem with changes. We believe there are changes that are necessary. But we also believe there has to be a mechanism for doing this.

We get this kind of Metro Toronto area where they have big planning staffs on the region. They've got lots of expertise. If you go out to Billings township, you're not going to find a lot of expertise on planning matters. They don't exist. So what will we do? In our area, we'll hire consultants. Oh, isn't that lovely? That will cost the people in our area considerably more dollars to get the same kind of expertise that they're actually already getting from the ministry, but now they're going to have to go out and pay some consultant to do it, pay more property taxes. I think what you're trying to do is spell the end of rural Ontario, and particularly northern rural Ontario, in terms of creating jobs. I think that's exactly the opposite to what the government says it wants to accomplish.

Good intentions don't do it. I appreciate your intentions, but you're going in exactly the wrong direction in terms of creating a business climate that will create housing, that will create small business, because the steps you are taking are almost totally based on increasing the costs at a fixed level.

This Planning Act, make no mistake, is another revenue bill. This is another one where you'll end up spending more money than ever to go through this process, because I can tell you, the municipalities under Bill 26 are going to be getting more ability to charge fees. When they charge fees, guess what? It's going to be you who pays. I think it's going to be more than cost recovery. I think they're going to look at these kinds of fees provided in this kind of legislation that will make the process not more timely, but more expensive.

We saw the former NDP government go through this process, and it got it exactly wrong. I would urge the government to step back from this one just for a little bit, to have a look at the changes they're presenting to us and say, "Is this really going to do what we want it to do?"

Yes, I've had people in my constituency office. As a matter of fact, I had a gentleman come to me and visit me on a Saturday afternoon at my home unannounced as I was trying to build a little garden. I came in and



washed up a little bit and we talked about it and he had a problem with MNR. He was trying to sever some land and actually had it severed, but what he was looking for was a minor variance.

It said that on Lake Kagawong, one of the most beautiful lakes in Ontario, you must be above the 700-foot elevation to build. It makes sense. That set any building on his property 600 or 700 feet back from the lake, quite a distance back. It pretty much made the place unsaleable. If it was 699 feet, 10½ inches, he could move up to within 200 feet of the lake. Most of us would think a local authority should be able to say, "Well, for an inch, I think that's okay." You know what happened? Not a hope. You think there was a hope in going to talk to the Ministry of Natural Resources about this? Not a hope, because the procedures aren't there. There is no way to look at what the Ministry of Natural Resources could do.

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I don't blame the Ministry of Natural Resources people. They have absolutely no discussion in the matter. They are told it has to be at the 700-foot level, the elevation has to be that. The gentleman—actually, he's a tradesman; he builds cottages and homes and does renovations; he's very good at it—is trying to do something in our local economy and he's stopped right dead in his tracks because the ministry has no flexibility to say: "I think it would be all right if it was 699 feet 10½ inches instead of 700 feet."

I think that would make sense to everybody in this room. I don't see anybody who would object to that. Hold up your hands if you think that's a nutty idea.

**Mr Sergio:** They all agree.

**Mr Michael Brown:** Everybody agrees. Norm, even.

I think what we're looking at, this document, addresses that not in the least.

It might work. I think there's something in this act that I like, but it doesn't affect us. Minor variances aren't going to be subject to the OMB. Good idea. I'll give it to you on that one. But why don't you address the real issues that are in my riding? This is a minor variance at best, which would make a lot of work for my folks as they build those cottages. These cottages will never be built because nobody wants to be 600 or 700 feet back from a lake if they think they've got a lakefront lot. It's crazy.

I spoke to the ministry on that issue: "Well, is there a problem with the ecology? You're worried about fish habitat or something?" "No, no, no." "Oh, fine. No problem. Are you worried about it flooding?" "Well, it never floods there, Mr Brown. You know, you've got to be a little bit crazy to think that would happen. There's a dam there that controls the water level. So we know where the water levels are. It would never get to there." So for an inch and a half, nothing happens.

Those are the kinds of decisions that have to be addressed in the province of Ontario. They're the kinds of things that never get talked about seriously around here. Sure, I talk about it, and some other rural northern members, but to get the government's attention so that they would do something in an act like this one, so that

they would address the Ontario that I live in and the people I represent live in, is totally impossible. I suggest to the minister, Mr Leach, that when he has an opportunity, when he wants to make amendments to this act, he consider some of those things.

I want to talk a little bit about some of the policies. The wetlands policy of the previous government was—

**Mr Chris Stockwell (Etobicoke West):** All wet.

**Mr Michael Brown:** The member says, "All wet." I guess that's probably true. Good idea, there's nothing basically wrong with the idea, but it became so restrictive, in certain parts of Ontario, it made no sense. One fellow would be building a shopping centre here on exactly the same land as the person next door was being told was a wetland of provincial significance.

**Mr Sergio:** Inconsistency.

**Mr Michael Brown:** There was no consistency in the way it was applied. There was not only a real hardship to the person who wished to develop the area but also a real problem with providing an economic incentive in the area to do things and to make things happen. At the same time, curiously enough, it was not benefiting the environment whatever. So I think the government better think about this one a little bit. There are some problems in it.

**Mr Stockwell:** Okay. I'll look after it.

**Mr Michael Brown:** I understand the member for Etobicoke West is going to look after that for me.

**Mr Stockwell:** Consider it done.

**Mr Michael Brown:** I might trust him, although I don't trust his colleagues, and if he could find himself a way into a position of slightly more influence, I would be much more comfortable on this side with our opportunity to—

*Interjections.*

**Mr Michael Brown:** I'm always nice to him. Anyway, as we talk about this Planning Act, and I'm sure there will be much more debate, probably going on into the evening, I'm happy I've had the opportunity to put some of the views of the constituents of Algoma-Manitoulin on the record in terms of the nitty-gritty of planning in a large northern rural area and that the members and particularly the minister will consider what I've said here in terms of providing some realistic home-grown solutions to the kind of problems I've just expressed.

I believe it is in the interests of all Ontarians to see a prosperous north, a prosperous rural north, and a prosperous rural Ontario and Ontario in general. I'm not certain that increased property taxes, increased taxes on services, fees, perhaps even gasoline taxes by municipalities, perhaps even municipal income taxes, perhaps taxes to go to our skating rinks, taxes on virtually everything that moves, is the way to make Ontario competitive and to create opportunities for our children.

**Mr David Christopherson (Hamilton Centre):** I'm pleased to offer up a few thoughts on this legislation. Given the context of the activities that have happened here in this place over the last couple of weeks, and of course the economic statement of November 29, I don't

imagine that this particular bill, which has the effect of amending many of the important progressive changes that we made in Bill 163—they will be revoked—will get a lot of the attention that quite frankly it deserves, because it's not headline-grabbing in the nature of what it does and how it does it and the kinds of processes that are used to achieve planning objectives.

But I know from my own experience as an alderman in my home town of Hamilton and a regional councillor on the Hamilton-Wentworth regional council that in the long run there really is nothing as important as how we plan and execute the guidelines and policies of creating our communities, because in effect, when we create and plan our communities, we are very much deciding what our society will be and we're also determining what the quality of life will be.

At the end of the day, when we've had all our debates about the economy and how to make that work in the best interests of all Ontarians, not just the very wealthy, which is of course the singular objective of this government, after we've had those debates and discussions, there has to be a purpose to it all.

More and more in the 1990s and as the 1990s begin to lead us into the new millennium, my sense is more and more people are accepting that things like community and quality of life and quality time and leisure time will mean, and are meaning, more and more to the average Ontarian. Our Bill 163, I believe, went a long way to allowing us to achieve the objectives of good communities, healthy communities.

Not that long ago—it's now sort of a distant dream because I don't imagine there's any money for it—there was a movement across Canada called Healthy Communities, and there were a number of communities, like Metropolitan Toronto and I believe Edmonton and my own home town of Hamilton, that took that idea of healthy communities and the policies around that initiative very seriously. Unfortunately, I believe a lot of that has gotten lost in the cuts and slashing and burning and focus on the bottom line that's happened with the provincial government in the last few months and the federal government in the last few years. We're losing in the process our ability to control and shape our own lives.

It's ironic that as much as this government talks about wanting to give individuals choices, by not providing the leadership and the vision that a provincial government has the obligation and the responsibility to provide to municipalities—bear in mind, municipalities are the creatures of the provinces; they're not a constitutional entity unto themselves—then I think the average person, as a result of that kind of thinking by this government, is losing their ability to choose, because the framework for the decision-making and development and planning of their community has been narrowed only to the economics of a community. I'm the first—again, having sat there where you don't have options of running deficits; in municipal councils, you've got to be able to balance that budget each and every time—I'm not going to say that the economics of a community is not important; in fact, it's extremely important. But it's not the only consideration. In fact, we can show clearly—in my own

home town I've got great examples that if you don't pay attention to those other things, then in the long run it will cost you more money. For those who think the economics are the top priority, it becomes self-defeating.

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For example, Hamilton harbour, one of the most beautiful natural harbours in the world, one of the most successful ports in the world in terms of tonnage and profitability and enhancement to our local community, played a huge role in the fact that we became the steel-making centre of this nation and in large part this continent. Yet in the early days, when the steel industry was taking hold and other manufacturers saw a future in Hamilton, we had very little regard for the environment and its impact on citizens.

I'm not faulting the decision-makers. We always have to look at decisions that leaders and communities and citizens make in the context of their time. There's the rub, because we do know the difference. We have that lesson to learn from; they didn't. But what is that lesson? That lesson is that when you do not pay any attention at all to the environment and make it totally subordinate to the needs of local economics, you do a great disservice to a local community, to the citizens and to your economy, because the cost now to the municipalities and the Canadian provinces and American states that circle the Great Lakes, the cost to those governments to clean up waters like Hamilton harbour is enormous. It runs in the billions of dollars.

If we're not paying close attention—and I believe the government is not with this legislation; I think it's very shortsighted—then we run the risk of repeating the mistakes of the past. In the long run, in not balancing and protecting the needs of the environment when we're looking at planning and development issues in local communities, we are putting a tab—as this government likes to talk about—on future generations of Ontarians, because they're going to have to pay the price to clean it up. We're rapidly filling up this world. We don't have the luxury of ignoring polluted areas. We are now in the business of cleaning up from past mistakes.

Bill 163, when we brought it in, was meant to provide a framework and a set of guidelines and policies that would allow us to develop but develop in a sustainable fashion, sustainable development.

I know that my colleague the member for Hamilton West's husband, who was a former colleague of mine on regional council, is the leading advocate and one of the best-known experts in this field. I really believe that this legislation flies in the face of many of the things that Don and others on regional council believe in. Now Don, being a good Tory, I'm sure will be prepared to deny that, and that's his right. But I believe that it does, because sustainable development really is the only option for the future.

We have to have development. We have to have an economy that provides jobs and provides the ability for the working women and men of this province to make a living, provide for their families, build for the future and, as always, hope that our children can have a better life than the one that we had. We do a lot to try to give them



that. So that balance between protecting the environment and preserving it for the future but also allowing us to have an economy in local communities that works to the benefit of the citizens is the obvious priority.

We believe that we addressed many of the imbalances that existed with our Bill 163, and certainly almost all the leading environmentalists of the time, just a few short years ago, believed that also. But it's interesting, there were other people who endorsed that, and it's important that we have that on the record.

Malcolm Hunt, director of planning and economic development in the city of Peterborough, said: "There's nothing wrong with the direction that the new Planning Act"—that was ours—"is taking us. The principles that are spoken to in the act are in my opinion sound planning principles."

Also, there was an Environics poll reported in the *Globe and Mail* on October 24. It said: "Conducted last month, the survey found most Canadians believe environmental protection does not have to be traded off for economic development. Seventy-eight per cent of respondents said environmental regulations should be strictly enforced in times of recession...." I suspect that the reason for the last part of that, "in times of recession," is exactly what we're seeing now, and that is, when we get into that economic crunch, then we're more likely to make hasty decisions that look good in the short term but in the medium and long term are not good for our communities, not good for our citizens and not smart economically.

I guess that's what we find most frustrating on this side of the House, at least in our party, because again we see the Liberals trying to put a foot in both camps. They want to oppose what you did, oppose what we did. I'm not sure where they are on this particular issue, as I'm not sure on most issues where they are unless I check day to day. But we in the New Democratic Party believe that the 78% of Canadians who believe that you should not trade off the environment holus-bolus for economic development are correct. It does not make any common sense.

This is another example of the government being very good at labelling things, like they do special interests. They can label them and they can ignore them or make them the enemy. They can talk about wanting real protection for tenants when there's nobody out there who believes for a minute that you're going to do anything other than take away the rights that tenants have. Nobody believes that, and we'll see it when it lands. You said that Bill 7, the anti-worker Bill 7, was merely repealing Bill 40. Again, that wasn't the case, but you're very good at getting that label on things. I've said it before and I'll say it again: I give you your due. Unfortunately, your success is a loss for the people of Ontario when you are able to do that.

**Mr Gilles Pouliot (Lake Nipigon):** They're catching on.

**Mr Christopherson:** My colleague from Lake Nipigon says that the people are catching on. I believe that to be true. If you ever made a huge mistake in the last few weeks, it was what you did around Bill 26 and

your reaction to what we had to do. In the long run we should be thanking you as much as we thank Alvin Curling, because you really did focus people's minds on not accepting just the 20-second clip from the minister, but actually taking a look a little bit further past the name of the bill, a little bit further than the minister's statement in the House, and seeing what's in there.

As I opened my comments, I can only regret that this bill will not get the kind of attention that it rightly deserves, although we will certainly do everything we can to raise its profile and its awareness because of the impact that it will have.

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When I talk about Bill 163 and what we're losing, there are a number of things that are achieved. One of the most significant—and it sounds like a technicality but unfortunately a lot of things in law that really matter appear at first blush to be just mere technicalities but can have monumental impacts for average Ontarians. One of the things that you're going to change is that local practices, meaning local councils, be consistent—we had "be consistent with provincial policy," and you're going to change "consistent with" back to what it was before, because, of course, that's what you like to do: try to take us back to what you consider the good old days, the way the world ought to be. You're the greatest social engineers that anybody ever met and you always throw that accusation on anybody who really tries to be progressive. But you are. You're trying to social engineer almost in a time machine to take us back.

That's what you're doing here. You're taking us back, in this legislation, to "have regard to." Anyone who's either a lawyer or even performed negotiations or done arbitration will know that the difference between "consistent with" and "have regard to" is huge. There's a huge difference between that, because it's not nearly as strong. It means a weakening of the province's ability to have an overarching say that would be consistent across all communities and that all municipal governments must adhere to, and you're going to water that down.

Some of you, as I see, will be nodding your heads saying, "Well, that's a good thing," and yet we hear, in response to our Bill 163 in August 1994, AMO, the Association of Municipalities of Ontario, of which I used to be a member when I was a local alderman, said, "We accept the province's constitutional and legitimate role in setting the legislative and policy framework within which municipalities in Ontario must operate." So this is not some raving idea out of the blue. The idea that the province would provide strong, consistent leadership in the area of parameters in which local governments would make the critical decisions that they do is supported by AMO and I think has a great deal of validity, and indeed has over the decades assisted in providing Ontario with the quality of life that we've had—that very quality of life that this government seems so determined to destroy by the vicious cuts and attacks on the most vulnerable in our society, and it's all in aid of giving a tax cut to your very wealthy friends.

I have said consistently in every speech I've made that when members of the Ontario public—and, as my col-

league from Lake Nipigon has pointed out, they are beginning to—look at all the individual things that this government is doing and then stand back and ask themselves, “What does this picture paint?” they will see that the picture there is one of a meaner, harsher, polarized, dog-eat-dog, Newt Gingrich kind of province where the very wealthy will do quite well, thank you very much, because nothing you’ve done so far has hurt the wealthy.

*Interjections.*

**Mr Christopherson:** But if you’re not someone who already has access to incredible amounts of money, then you’re just a loser when this Tory government rolls the dice. You just lose.

They get all wild and wound-up when you mention Newt Gingrich. It makes them nervous, because they also see what’s happening to his popularity. People are starting to clue in to what he’s doing and what it means to the future of Americans, and what it means for the average American. They’re beginning to see what that means.

As their numbers and as Newt Gingrich’s popularity numbers begin to fall, I predict with great confidence—and we already have seen some of it, but that’s the beginning; there’s more to come—we will see this government’s popularity begin to fall even further, because all they’ve been living on so far is that exhaustible resource called the after-election honeymoon. But you’re running out of that commodity quicker than most governments have in the past, and there’s good reason for that: because the quality of life in Ontario for the average working person is going to drop, and it doesn’t have to. That’s the point. It doesn’t have to be this way. If you weren’t so committed to providing your wealthy friends with that huge, unaffordable 30% tax cut, then you wouldn’t have to be cutting the kinds of infrastructure and services and benefits to the poor and to seniors and women and children that you are, because we, like most Ontarians, do agree that the debt and deficit must be dealt with.

The difference is, you believe that it has to be done in a way that gets us to the balanced budget as fast as possible without regard to what it does for the average person in this province, and why not? None of it has hurt any of your friends so far. If you’re making \$200,000 or \$250,000 a year in Ontario, you haven’t been hurt by this government, not one bit.

And that same person gets the benefit of the lion’s share of that tax cut. That’s the vision you have, and we say, from this side of the House, and in the New Democratic Party, it doesn’t have to be that way. We can’t afford the tax cut right now. It makes no sense. It doesn’t take long for people to realize that if they believe your argument that the debt and deficit are such a crisis that it justifies the kind of cutting and hurting that you’re doing, then why on earth would you give back money at the same time? Why wouldn’t you at least put that same money towards that debt and deficit? No, you’re not. You’re taking that money and giving it to the very well-to-do. And people are beginning to catch on.

**Mr Stockwell:** No, they are not.

**Mr Christopherson:** One of my colleagues across the way is saying, “No, they’re not.” Well, yes, they are. Stay tuned. We’ll see you back in March and we’ll see where we are then and where the people of Ontario are at that point.

When we talk about what this government is doing and why it’s doing it, and the first question that comes up, and they say, “Well, it has to be; we have to accept this kind of pain.” Well, no we don’t. Yes, we do have to accept a certain amount, a lot of change, and there probably will be some pain in there. We started that process, don’t forget. We were the first government, not a Tory government, that reduced the cost of programs of the Ontario government year over year for two years. No other government did that in the history of Ontario.

I grant you in the election there weren’t a lot of people listening to our message, obviously. I can see the configuration of the House like anyone else, but I do want to say to you that when people do reflect on our record, they will see that we were dealing with the debt and deficit but in a different way.

First of all, we didn’t offer up the political carrot of a tax cut, and we didn’t say it has to be done tomorrow. It was done in a way that was much more gradual, allowed our society to adjust to the changes, we provided support for them—all of those things. And I raise those in the context of this bill, Bill 20, because it’s all part of the same argument.

You’re still saying that there is such a crisis that we have to give up on the poor, give up on the disabled, give up on children, give up on all the things that make this a great place to live, and now with this bill, you also say we have to give up on the environment, and it doesn’t work.

It doesn’t work from a planning point of view, it doesn’t work from a quality-of-life point of view for the average working person, and I’ve pointed out earlier it doesn’t make economic sense. You’re abandoning the inner cities with your willingness to look at cutting development charges. You’re going to put so much pressure on regional municipalities like my own that have a large urban centre as well as expanding rural areas where there is development.

1630

You’ve slashed the budgets of municipal councils in a phenomenal way, by almost half over two years, the money that you provide them to give the services that they are required, according to our legislation, provincial legislation, to provide. You’re doing that. Now you’re inhibiting their ability to pay for the creation of schools and libraries and recreation centres in those new developing areas by denying development charges that say to those who are going to live in those areas: “Yes, it’s going to cost a little more to buy a new home, but it is you and your family that will benefit from that recreation centre and from that new school and that new library. You will benefit from that, so you ought to be helping to pay for that, not the people who have been living in downtown Hamilton for all those years.”

That’s why regional councils and municipal councils went along with it and brought in development charges,



not because they wanted to. They didn't want to do that, but it was the only way they could pay for those new services in a way that wasn't unfair to people who had been paying taxes their entire life, property taxes, in the inner cities and the currently developed areas.

What you're saying is, and my opinion is, that you don't really care too much about the inner cities; you don't believe in any kind of intensification, again very shortsighted vision. It sounds good short-term. It's going to do nothing for the long term. You're going to cause more urban sprawl and then you're denying regions the ability to pay for that in a fair way.

You'll run around the province and say, "See, we got off your back," as if that was the only answer to everything. If it were, why not dissolve the Legislature? In fact, watching the—

**Mr Pouliot:** Don't.

**Mr Christopherson:** Yes, I almost get nervous suggesting it. Watching the way you've acted, that's probably one of your ideas, because you clearly have no respect for this Legislature or we wouldn't have had to do what we did last week with Alvin Curling.

You have no respect for the public, because you don't want to let them comment on important pieces of legislation like the anti-worker Bill 7 and Bill 26. We had to force you into doing that in a way that gave meaning to public input. All summer you made pronouncements from on high without the Legislature sitting. At the end of the day, as a cost-cutting measure—I say to my colleague the member for Lake Nipigon, I do worry they may see that as a way, but in some ways nothing would change. You're governing as if this Legislature and democracy didn't exist anyway, you truly are.

I close my remarks in the way that I opened them. It is a shame that Bill 20 will not get the same attention as other matters now before this House because of its critical importance to the quality of life of the average working women and men.

*Interjection.*

**Mr Christopherson:** One of the Tory backbenchers hollered out "Hamilton." You're damn right, Hamilton, because I'm here to represent my community. I don't know who you're here to represent in Hamilton.

We don't have as many wealthy people as you seem to think exist in this province. The majority of people in this province are hardworking, decent women and men, and you know what? Some of them get hurt on the job and you don't seem to care about that; some of them are unemployed and you seem to think it's their fault, and with this you're saying to the inner cities: "Goodbye, because we're not concerned about you. We're more concerned about our short-term economic needs."

This is another example of the kind of vision that this government has for Ontario and unfortunately it's a vision that paints a dismal future for the average working person and their families in this province, and they're going to see that over and over. When we come back here in March, after a lot of this has sunk in and people have seen it, you're going to be singing a very different tune. I assure you that.

**Mr Stockwell:** I do enjoy the interesting observations offered up by the member from Hamilton.

**Mr Pouliot:** You enjoy it?

**Mr Stockwell:** Sure I enjoy it. It's the give and take and the cut and thrust of this place. It's of interest. Although I don't agree with a lot of what he says, it certainly has a flavour, and hyperbole is, as I said, very interesting.

I want to just discuss one quick fact, though, about the development charges. When we talk about the development charges, you're suggesting that there's some kind of unfairness about our approach to development charges with respect to hard services. You have to remember development charges were instituted just for that—hard services. They weren't intended for any other use.

You talk about inner-city development and how these people can't afford to pay for hard services in suburban areas. Well, who developed those hard services for the inner-city core? The same process was used. Existing development was taxed, development charges were levied, and we raised money for hard services through the development process.

Where it all got out of whack was when councils began to levy development charges as charges for soft services. Development charges started escalating, thereby, with the escalation of those development charges, the cost of housing increased. What does that mean, I say to the member from Hamilton. Well, when the cost of housing increases, the very people you're trying to serve and the very people you would want to see get into housing get forced out of the market because the cost continues to go up.

The other fact that remains is, developers determine they can't build for a reasonable return and they can't build at a reasonable cost, so they don't build. And what happens? All those good union members whom you purport to represent don't gain employment from the development industry because it collapsed under the weight of the bureaucratic maze instituted by the two previous administrations.

So before you go slamming the development charge approach we took, review history. When development charges were paid for for hard services, we had a lot of building. Lately, we've had very little.

**The Acting Speaker (Mr Gilles E. Morin):** The time has expired. Further questions or comments? The member for Hamilton Centre, you have two minutes.

**Mr Christopherson:** I want to thank the member for Etobicoke West for his comments. We do tend to disagree on a number of issues, but we also have a great deal of respect for each other. I always enjoy his thinking but I do completely disagree.

Let me say to you that the difference between us is that you used the phrase, "It got all out of whack when it was used for soft services." We don't think that it's all out of whack when you start talking about a quality of life that ensures that there are accessible, usable libraries for people of modest means; or that there be recreation centres where parents who don't have their own gymnasiums in their basement, who maybe live in an apart-

ment building, have somewhere to take their kids; or that there be parks available for children to enjoy who may not have that opportunity. Fire and police are also sometimes considered soft services.

*Interjection.*

**Mr Christopherson:** The member is now heckling, which disappoints me because I didn't heckle him. He's heckling that there's no building. What he wants to do though is confine that argument to something like Bill 163. What he doesn't want to talk about is what his Tory cousins did federally in terms of the free trade agreement and what that's done to manufacturing centres.

There his hands go, in the air. I think he just surrendered.

Look what you did in terms of the message you sent to people with the GST. Look at the high-interest-rate, low-inflation-rate policy of the former government. That took away jobs. That took away investment. You can have all these things if people have decent paying jobs. See, that's the difference.

**Mr Stockwell:** That's off topic.

1640

**Mr Christopherson:** No, it's not off topic. The fact is if there are real jobs, meaningful jobs that pay a decent wage, then the average person can afford to contribute towards a quality of life that's worth living, not the dismal, bleak Ontario you want to give them.

**The Acting Speaker:** Further debate.

**Mr E.J. Douglas Rollins (Quinte):** This is my first opportunity to stand up and speak in this House. I know that I don't share the same kind of enthusiasm in my speech as the last two speakers in this House, and I probably don't share anywhere near the quality of time that this hour of the night brings, because I'm sure the Young and the Restless will outcover me as far as coverage is concerned.

I would like to congratulate the previous member we had representing us in the person of Hugh O'Neil, for Quinte. He was an extremely good member for 20 years and worked very tirelessly for us in our constituency.

The riding of Quinte was established in 1966 from Hastings West, and there will only be three members from Quinte representing that riding for the rest of history, because as the boundaries change, it'll be no more, and those three ridings were—some of you people might remember Dr Richard Potter, Hugh O'Neil and myself.

From 1867 till 1966, the riding which was South Hastings was only served seven years other than by Conservatives, and Mr O'Neil wrested it away from that tradition of Conservatism down there and kept it for 20 years, and it was no easy feat.

I've been given the honour and the privilege to speak in this House for the citizens of Quinte and I certainly appreciate that. The riding of Quinte was named after the beautiful Bay of Quinte.

*Interjection.*

**Mr Rollins:** Oh yes, and it's a clean bay too, and there are lot of good things there.

The bay has played a significant role over the period of history. It was a transport link for logging operations going back a long, long way.

The marinas in both cities of Belleville and Trenton attract boaters from all over the province of Ontario and northern New York, and the Trent-Severn waterway, which many of you people have running up through your ridings, dumps out into the bay at the town of Trenton. If you want to go up there, you've got to start out from that beautiful place of Trenton. Also, the Bay of Quinte is quite capably known as the pickerel capital of Ontario because, whether it's winter or summer, there are certainly lots of things to be fished out of that wonderful Bay of Quinte.

On the second weekend in July, the city of Belleville hosts the annual Waterfront Festival and Folklorama, where some 100,000 people crowd into Zwicks Island, Meyers Pier and Victoria Park for the three-day event, something that was established through some grants that some of you other people saw fit to give to us to establish that kind of start, and since then we haven't taken those grants and we've run on our own, with our own steam and our own power, and it's been darn nice to have it started.

The festival is just one more way of showing you people that many, many people put in volunteer hours to make this a very good event for our community and raise the money that they do.

Belleville is the home of some small industries and some large ones. One of the largest industries we have in Belleville at the present time was a state-of-the-art warehouse facility that was opened by Sears, where 1,400 people take part and work. It's only a small size; it's just three times the size of the SkyDome down here, where I think they play some hockey or football or something like that. They quit playing baseball last year.

Recently in Trenton, Quaker Oats decided to enlarge their little plant down there; they've had some bad times and hired 45 more people and put in a rice-cake line. Now it's supplying rice cakes for all over the North American market and that just comes out of a little place in our riding.

Quinte is also the home for CFB Trenton; it's the largest transport base in Canada and it currently has about 3,000 military people. There are going to be an additional 116 people moving down to Trenton when the parachute division that's presently at Edmonton will be established there in a year or in the next year to come.

For those of you who are not residents of Quinte, CFB Trenton does help out once in a while, because I know you fellows up in the north get lost periodically, and that's when that squadron goes up with a helicopter and picks you out of the lake or the river or—I don't know whether they pick you off the roads with Mr Palladini's roads or not, but they might have to do that if it's real bad. That all comes from Trenton, so even that little riding of Quinte down there still is touching many, many people in this whole province.

I want to speak about the dramatic change that occurred in this great province of ours in the last 10 years. Few people spoke about the dangers of uncontrol-



lable spending. Many citizens of this province of ours viewed government as a tool in eliminating the unpleasantness of a free enterprise economy. Federally, there was talk about the danger of the national debt. Nobody believed that. It was something nobody would believe. The idea that governments could run out of money was believed to be an apocrypha.

Consequently, during the past 10 years, successive governments dramatically escalated spending on programs in a futile attempt to create an egalitarian society. It boosted spending on welfare in an ineffectual effort to eliminate poverty. Of course, it had no means at its disposal to create wealth so it did the next best thing: it raised taxes by taxing everything that anybody earned or spent, or wherever they could.

Their efforts were fruitless and only succeeded in creating a ravenous, insatiable bureaucracy that continued to absorb our resources at a fast rate. No matter how fast the government spent money, the need in society always grew faster.

In the last 10 years, we have seen politicians and entire political parties realize the error of their ways. They have shifted grudgingly, half-heartedly away from the socialistic policies. They do this not because they believe in conservatism but by financial necessity. Their attempts are therefore half-hearted and doomed to fail.

Our current Prime Minister spent the better part of the 1970s as a cabinet minister in the Trudeau government, holding portfolios in Justice and Finance. He played a key role in promoting the just society. The cost of the just society was ever-expanding government demanding more and more of its citizens. As the leader of Her Majesty's loyal opposition, he became a master of hyperbole. Every reduction in the funding of a provincial transfer payment or the CBC was a nail in the coffin of Confederation. Today the man who spent the entire part of his career overseeing the expansion of government now eagerly wants to dismantle it.

Before the New Democratic Party came to form the 35th Parliament in Ontario it promised the citizens of this province grandiose schemes to create an egalitarian society.

During the past 10 years there was one politician who believed in the dangers of debt, compound interest and socialist economic planning. There is only one party that has always held fast to the new idea adopted by everyone in the political spectrum. There was one leader who was undaunted in his ideas, one party that was consistent with its beliefs. That party was the Conservative Party and the leader, Mike Harris.

The opposition, whether it originates in this chamber or from the streets, has lost its way, with its ideals discredited by its leaders and dazed and confused. Unable to present workable alternatives, it was forced to hurl mud and anything else at us that it can do to discredit us.

There are fewer and fewer people today who believe that government should grow larger, that it can solve all the problems, that debt doesn't matter and that prosperity can be borrowed. There is nothing denying the revolutionary change that has swept this province.

The people of Quinte have chosen me to represent them in this Legislature because I stand for small-c conservatism—

**Mr Pouliot:** On a point of order, Mr Speaker.

**The Deputy Speaker (Mr Bert Johnson):** Would the member for Quinte please take his seat for a minute.

**Mr Pouliot:** In a broadly summarized form, and I welcome the member—

**The Deputy Speaker:** Your point of order?

**Mr Pouliot:** Yes, I have a point of order. Will you please let me explain. I've listened intently to what the member has said. The member has started to talk about his riding; rightly so. Welcome on board. We've very pleased. And then did not move from his riding to Bill 20, and used, with the highest of respect, an opportunity, a forum, to tell us that we are socialist, to tell the Liberals and to talk about anything but his riding, which we welcome, or Bill 20—

**The Deputy Speaker:** Is your point of order that he's not speaking on the subject?

**Mr Pouliot:** I think he should stick to Bill 20 or go back to his riding, since it's his first time up, but not use the forum to make an attack on the Liberals and—

**The Deputy Speaker:** The member for Quinte.  
1650

**Mr Rollins:** For the last, I believe, 62 or 64 minutes I sat here and heard things that had nothing to do with Bill 20 either. I heard them mention Bill 7 and Bill 26, and I don't believe that's the discussion we're on either, so bear with me for a few more minutes, sir.

There are fewer and fewer people today who believe that government should grow larger, that it can solve all the problems, that the debt doesn't matter and that prosperity can be borrowed. There is no denying the revolutionary change that has swept this province.

The people of Quinte have chosen me—I've missed my place in here. You've confused me so badly I've buggered up where I was, but that's okay.

I'm still a small-c conservative, the biggest guy in the government sitting in the back row. I outweigh everybody else by a few pounds.

**Mr James J. Bradley (St Catharines):** Clarke Rollins was bigger.

**Mr Rollins:** No, he wasn't. He never did weigh as much as I do. Your memory is bad.

But the people of Quinte and I believe that the Mike Harris team and the people of the Conservative Party can put this province back on what is supposed to be due.

My honourable colleagues and I have chosen to follow this platform not because it's an easy one, but because it's a financial necessity; if we don't we do not solve the problems of this province and put us back on the way to recovery.

During the past 10 years, in good times and in bad, in economic boom and bust, the growth in welfare continued uninterrupted. Corresponding with the growth in dependency has been growth in taxes and in benefits. We have been taxing hard-working people and continue to tax

the people who are successful and achieve nothing for the people who fail; just let them go on.

The path we were on was leading this province into financial ruin. Even our own sovereignty was threatened with this untamed monster. If we continued down the path, bond traders in New York and all around the world would leave us in a terrible situation if our bond rating wasn't looked after.

Currently, the province is spending about \$9 billion on interest, as you people have heard at different times, but this is one of the reasons we need to support Bill 20: so that we can put those kinds of things back into the hands of the people of their own municipalities to make those kinds of decisions, to make the changes that we need to make to improve the ability of our own local people to keep on doing things better for themselves.

**Mr Gilles Bisson (Cochrane South):** On a point of order, Mr Speaker: The standing orders of this House are quite clear. When a bill is called before the House for debate, we're supposed to debate the bill. Either the member hasn't read this bill, like most of his Tory cabinet ministers, or he's trying to utilize this in order to do his maiden speech, and I think the Speaker should enforce the rules of the House and keep him speaking on Bill 20.

**The Deputy Speaker:** The member for Quinte will address his remarks towards Bill 20.

**Mr Stockwell:** I would like to speak to the point of order.

**The Deputy Speaker:** I'm sorry, a point of order is not debatable.

**Mr Stockwell:** Then I have a point of order, Mr Speaker: I think the member is in fact speaking to Bill 20. I heard him mention it on a couple of occasions. Furthermore, I appreciate the fact that it was brought forward by the member opposite, but he's been here all of two minutes. I don't know how he could possibly know whether the member was speaking to the bill or not.

**The Deputy Speaker:** I don't plan to debate that point of order. I recognize the member for Quinte.

**Mr Rollins:** I've mentioned Bill 20 a couple of more times. I can stand here and mention it a whole bunch more times if that's what you so desire.

**Mr Bradley:** I always liked Clarke Rollins.

**Mr Rollins:** That's all right. You'll get to like me too some time if you live long enough.

Bill 20, An Act to promote economic growth and protect the environment by streamlining the land use planning and development system through amendments related to planning, development, municipal and heritage matters.

One of the increasing problems we have had with the bill that was in there previously was that through the OMB these people went to complain about things and hold things up a long time, increasing problems even in a little place like Belleville, where a Wal-Mart in a neighbouring area was allowed to hold up a whole development for over a year because the law wasn't changed, as in Bill 20, to give us the protection to make

those things that we have to deal with in order that we deal with them in a shorter period of time than 405 days, going through all these kinds of things, which is absolutely wrong. Bill 20 will change that to make those people get back and let them have that kind of a decision and to make them at their own municipal boards.

In the greater Toronto area, according to the Urban Development Institute, the claim is that \$15,000 to \$20,000 is being assessed on every building lot. We cannot sustain that kind of charge and expect houses to be built and this society to get back in tune.

In a recent meeting in Sidney township, also pertaining to what Bill 20 will do, there was a proposal to build a road. The road should have been built straight through, but no, because of some of these environment problems that we have, the road was going to be about as crooked as the road that my cows walk out of the woods with. You can't drive cars on that. The common sense of the thing is, the same as Bill 20, build the road straight, put some culverts under the road and make it work. Those are the kinds of things that the past government hasn't seen fit to do. They wanted to muddy up the waters, hold things up. This government wants to keep on going and keep on going darn well. Don't let us slow down.

In closing, I will be only too proud to stand up and support Bill 20. I know the next time that some of those fellows get up over there, if I don't go across the hall, there'll be another sit-in here, but they'll be sat on, no sitting in.

**Mr Bradley:** Mr Speaker, that last statement was a threat that the opposition will take into account, I assure you very much, because that certainly would be a deterrent to any further action.

I want to comment on the member's last statement in particular about moving things along quickly in the province. Sometimes there is a need to do that, and the Minister of Municipal Affairs and Housing last night gave a good example of how he was trying for a one-stop shopping centre in terms of dealing with government. He and I got into a bit of a debate over that, but I think he made a good point when he said what he was really looking for was trying to get the various ministries at least in a timely fashion all at the same time to suggest what their comments would be in any development.

But I do want to point out one of the problems that arises when you move too quickly and when you start to look the other way on some of the environmental implications. One of the worst examples I saw of this—and my friend the Premier, who is sitting across from me, will remember this, because he was part of the government that was involved in it—was Smithville and the PCBs which were allowed to accumulate there.

One of the former ministers here, Mr Kells from Etobicoke-Lakeshore, would tell you that probably the largest single collection of PCBs could be found in Smithville at the time that the Progressive Conservative government left office. That was a good example of how, when you rush things through too quickly, when you give approvals too quickly without giving all the consideration to it, you end up with an environmental difficulty that will cost millions upon millions of dollars.



I want to congratulate the member, however, on his first speech in the Legislative Assembly. We are always pleased to hear from him and the representations that he made on behalf of his constituents, even though I might not agree entirely with his comments on the Common Sense Revolution.

**Mr Pouliot:** I find the member one more time most committed. He extended the courtesy to have all of us here visit his riding, and not all of us in this vast and magnificent land know every special part of Ontario. So I did welcome that opportunity.

The point that we made could have been a subtle one, that you do not adhere to the standing orders—and why should you? You allow that flexibility in a constitutional monarchy in our kind of forum. But to use the forum, whether you intend to or not—you see, the opposition at times is quite touchy, quite sensitive. It was a tempest in a teacup. Much more important, of course, is the fact that the member has agreed to be on his feet and to adhere to the philosophy of democracy of this great forum. We will look forward to his wisdom not only on Bill 40 but certainly on the legislation that will be tabled by the government in the future.

1700

**Mr John R. Baird (Nepean):** Bill 20. Speak to the right bill.

**Mr Pouliot:** We'll have more than one opportunity.

**Mr Stockwell:** Not only did the good member for Quinte express the views and points of interest about his riding and his good constituents, but for a maiden speech, not only was that clearly enunciated by him, but I think he also gave a very stirring and practical response to Bill 20 itself. I think if you listened long enough and carefully, you would hear that there was discussion and debate and healthy, germane thought brought forward by the member for Quinte. I think he should be very proud of himself for his initial entering into debate in this Legislature.

I would say to the member opposite, we weren't discussing Bill 40; we were discussing Bill 20. I see even veteran members such as yourself can get confused. Clearly, when standing on a point of order to reprimand a member for not speaking to the proper bill, I always found it was very important to know exactly what bill you were talking about. Having seen that Bill 40, the labour legislation—you were living in a time warp there for a very short period of time. You thought again that you were the minister talking about the labour legislation and you didn't recognize the member for Quinte because we had an election.

So I would say, considering the new member's maiden speech would probably be memorable, but not more so than your interjections on his behalf, thank you so much. You've made our day.

**Mr Gilles Bisson (Cochrane South):** Just quickly, I wanted the member to understand, I want to certainly allow him the opportunity to have his maiden speech in the House, but I don't think it was appropriate to utilize the debate on Bill 20, an important bill that's before this House, as a mechanism to do that. There are budget bills; there are other opportunities by which to be able to speak

on a broad range of issues. That's what the tradition of this Parliament has shown us: that when you're speaking on broader issues, you can do that on budget bills, but not on specific bills such as this.

I won't take the full two minutes because I see my whip really wants to get this one moving along. I just want to say one thing: The comment he did make in regard to Bill 20 is that he was saying the government wants to do this because they really, truly believe they need to be able to give the developers a larger hand and an important role when it comes to development, so we just can move them projects right along.

I would say, partly desirable, but I think quite frankly in this day and age, in the 1990s, that we do have to have concern for how development affects our communities and how it affects the environment. For the member to say he had a project and if it wasn't for all the environmental regulations along the way—the road was nothing but a crooked arch all over the place. I think it's really erroneous and quite frankly not really how planning is done. So I would say to the member, welcome to this House. I look forward to a short association with you in your time in government. We'll have an opportunity to debate at other times.

**Mr Rollins:** With all this wisdom we've had, had we had and practised all the things that were grandiose and all those kinds of things that you'd have done, we'd have had so much building going on and so many people working and so much taxes coming in, darn it, we wouldn't have been able to spend all the money.

We've had to cut that money back and we've had to reallocate because you people have taken away the ability and the desire for those people to walk out there and build houses, to make development, make jobs and do one other thing—pay taxes and let us pay your bills.

**Mr Mike Colle (Oakwood):** I just want to make some comments about Bill 20. I want to congratulate the member for Quinte on his maiden speech. He was eloquent, succinct and very, very interesting.

There are a couple of specific items I want to refer to in this bill. The first thing is that this bill tends to do essentially what Bill 26 is doing, and that is giving more power to the Minister of Municipal Affairs and one ministry. I'll give you an example of that.

Under present legislation, if another ministry has a concern about something under the Planning Act and they want to appeal to the Ontario Municipal Board, that ministry—it could be the Ministry of Agriculture, Food and Rural Affairs or one of those other ministries—could make an appeal to the Ontario Municipal Board. But Bill 20 allows for only appeals made by one minister and one ministry. If the Ministry of Environment and Energy or the Ministry of Agriculture has serious concerns about a development, neither can appeal even though the development may have a severe impact on agricultural land or may have a severe impact on environmental concerns. So Bill 20 takes away that right from all the other ministries, the right to basically appeal a decision to the Ontario Municipal Board, so again, more power in one minister over planning.

Another thing that concerns me in terms of this act is that right now a local citizen, an ordinary citizen who essentially finds that the decision of the local council is not to his or her liking, right now that ordinary citizen can appeal to the Ontario Municipal Board. As a result of Bill 20, that citizen with a minor variance cannot have the right to appeal to the Ontario Municipal Board. I know it sometimes becomes cumbersome or becomes something that will delay an approval, but taking that right from that ordinary citizen to make that appeal to the Ontario Municipal Board is denying the right of ordinary citizens who, through their taxes, build up government agencies and government programs, to make that appeal where right now ordinary citizens make these appeals in a regular fashion to the Ontario Municipal Board. So this act takes away that right of appeal to the Ontario Municipal Board for ordinary citizens.

Another very interesting part of this bill is what I call the Mississauga amendment where over the last number of years, I guess with the last government, they legalized accessory units in homes. What this bill is doing is saying that new future accessory units essentially have to have special approval, whereas the previous legislation gave it as a provincial right to have accessory units in homes.

The interesting aspect is that this government is proposing to institute a registry. Every municipality in Ontario will have this registry of every home that has a second unit. That means a government that claims to have less government intrusion is now going to register every home and housing unit that has a second unit.

I ask, for what purpose is this registry needed? Who's going to monitor this registry, and is this registry going to include, for instance, all the home businesses that are going to be cropping up and that are cropping up all across Ontario? Will this registry also include all those bookkeeping offices; and, in some cases, lawyers' offices? Are these going to have to be registered with the municipality to have more red tape, more government intrusion with this new registry for any home that has a second unit?

1710

Someone mentioned earlier in terms of the impact this might have on open space and environmental impacts. One of the interesting appendages to this is found in Bill 26, where environmental protection authorities, conservation authorities, are going to obviously have less power to protect open space, because one of the nuances here is that if members of local councils want to do away with a conservation authority, they can do so by a vote.

It's interesting to note, which is connected with this restriction of conservation boards, that part of this is woven into Bill 26 where, interesting enough, there's a new part which says, "entitlement to vote." This decision to do away with conservation authorities is only going to be made by the newly appointed members of these authorities. So in other words, the government-appointed members will have a say in whether the conservation authority stays or not. Those who were appointed by previous governments will have no say.

I think this is part of where Bill 20 is going, that there's going to be obviously less power in conservation

authorities because, as you know, one of the so-called rationales for Bill 20 is to allow for more building. This is supposed to create jobs etc. That is a lot of the Tory motive.

We all want to see jobs, but you wonder, at what expense, because if you look at the recent analysis of urban sprawl, suburban sprawl, you'll see that if you don't cap the urban envelope and you allow housing to go from here to Lake Simcoe and from here to the Quebec border, the cost of the infrastructure, that is, putting in the roads, putting in the sewers, putting in the schools, all these facilities, is going to be astronomical. Those services are going to have to be put in. It's much more cost-effective if you close the urban envelope and you don't allow sprawl from here to kingdom come, as they've done in Phoenix, as they do in Houston, because that's what this is.

Essentially, Bill 20, along with parts of Bill 26, is the beginning of Houston North, all in the name of job creation. But what it will do is it'll pave over green space, it'll pave over farmland, and as the member for Quinte, who knows a lot about agricultural land and its importance, knows, once you pave it over, there's no turning back.

So this Bill 20 looks like it may have some innocuous streamlining intent, but it is the beginning of the paving over of most of the farmland in southern Ontario and throughout Ontario. This is what it really begins to do. It gives the Minister of Municipal Affairs the ability to pave over farmland, agricultural land and all our wetlands and agricultural space, because the conservation authorities are going to have less power, the Ministry of Environment's going to have less power, the Ministry of Agriculture's going to have less power, and what you're going to have is more power in the hands of developers.

I know the member from Long Branch there, Etobicoke West, was saying that in essence they're not building homes because of the lot levies and the development charges, and that's why home prices rose etc. So we want cheaper home prices. We forget that one of the reasons home prices, especially in southern Ontario, went through the roof was that there was rampant speculation.

We had people on medium incomes who were buying 10 homes in Ajax because they could put \$5,000 down on each of the 10 homes and flip them in three or four months. That's what caused the rampant rise in home prices: speculation that was uncontrolled. That is not to say that this government was at fault for that, but that's one of the underlying causes of the high home prices, because for a number of years people were speculating on homes as they would speculate on the stock market today. That's what causes expensive housing.

On the other hand, this government is going to eliminate a lot of affordable housing potential in the future, because one of the best ways of getting affordable housing is by utilizing existing housing stock the best you can. This is going to make it much more difficult, because we've taken the Mississauga approach and that is the long, ranch-style bungalows, the huge lots, the cul-de-sacs which are expensive to maintain for public transit, for providing of sewers, not to mention all the other facilities.



That's the cost of sprawl. You lose agricultural land and you lose a lot of money because when you spread out and you sprawl, you're going to have to pay the price, and you'll be paying the price in billions of dollars in extra services that this government will have to pay for, because wherever you allow sprawl, you have to put in roads and sewers and schools and gymnasiums and arenas. Those cost money and usually it's taxpayers' dollars, because you're going to have a hard time asking the private sector to pay for sewers and schools and roads when the private sector is basically going to be given free rein to build wherever they want because you've told them that their costs are going to come down and they're not going to be hindered in their paving over of Ontario.

Another thing that's very interesting about this bill is that there are a number of concerns related to small municipalities or urban municipalities that have a smaller nature in the GTA that sometimes are not in tune with ordinary citizens. Most of the time local councils, because they want to be elected, certainly will reflect the majority will. But once in a while there are people who have a forward-looking perspective and they say, "Listen to us before you go ahead." Sure, I'll agree that there have been all kinds of unnecessary delays and very frustrating delays in the planning process. We all can concur with that. But I think we all have to be concerned that this bill doesn't have enough safeguards so that we can protect our agricultural lands and our urban green spaces. In my municipality of York, we have very little open green space. In fact, we have more people per square kilometre than any other place in the GTA. So every square inch of grass, every square inch of open space is critically important.

The direction of this bill basically says that we want to fast-track development at any cost. This is what I fear will happen: As developers are getting this green light to go full steam ahead, there will be enormous pressures on local councils to essentially fast-track and then what'll happen is that those green spaces, those open spaces which are precious—maybe in Quinte there's a lot of open spaces and you're fortunate to have that open space, but we do not have that luxury in downtown Metro. We want to maintain every square inch of open space we can and this act does nothing to protect that, as it does nothing to protect our conservation authority.

Most people in my riding cannot afford a cottage or a summer home. They spend their weekends in the local parks and the local conservation areas like the Black Creek. They go down to the Toronto islands, and that's where they can go with their families and have a picnic. What I'm concerned about with this bill is that it's going to put enormous pressures to restrict and confine those open spaces so they won't be available and usable to ordinary people who don't own cottages and places outside the city. That's why, not only within our community but throughout Ontario, there is the threat to our enjoyment of that open space, because whether it's in the Niagara Escarpment, or it's in Quinte, or it's out your way by Stratford, Mr Speaker, if that open space is gobbled up by these developers, our residents in downtown areas of Ontario will not have the ability to go to public open spaces. Once you take that away, you never get it back. That is something that you have no revisiting

of. So that's why I ask that when you look at this bill you look at the long-term ramifications. I know that everybody is looking at today's economy and today's environment, but I say to you, you've got to look 50, 100, 300 years down the road to see where you will go.

#### 1720

I say that this bill is shortsighted. It doesn't appreciate the fragile nature of our open spaces and our farm land, and this Bill 20, coupled with Bill 26, gives almost unilateral power to one minister to do what he or she pleases to the point where other ministries won't even have an opportunity to express concerns, never mind individual citizens who are concerned about their particular view of the future of Ontario.

I would just conclude by saying that I hope the people of Ontario remember that they should pause before they support such initiatives, because there is no second chance. If bills like this go through unamended, we're going to be in an irreversible situation which our great-grandchildren will never be able to enjoy. My main message is, just stop and make sure that you realize the long-term ramifications of this type of legislation.

**The Deputy Speaker:** Further debate?

Mr Leach has moved second reading of Bill 20. Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

Call in the members. There will be a 30-minute bell.

*The division bells rang from 1722 to 1742.*

**The Speaker:** We're voting on second reading of Bill 20, in the name of Mr Leach. All those in favour will please rise one at a time.

#### Ayes

Baird, John R.	Harris, Michael D.	Ross, Lillian
Barrett, Toby	Hastings, John	Sampson, Rob
Bassett, Isabel	Hudak, Tim	Shea, Derwyn
Chudleigh, Ted	Johnson, Bert	Sheehan, Frank
DeFaria, Carl	Johnson, Ron	Skarica, Toni
Doyle, Ed	Kells, Morley	Smith, Bruce
Elliott, Brenda	Leadston, Gary L.	Sterling, Norman W.
Eves, Ernie L.	Maves, Bart	Tsubouchi, David H.
Ford, Douglas B.	Munro, Julia	Turnbull, David
Fox, Gary	Mushinski, Marilyn	Vankoughnet, Bill
Gilchrist, Steve	Newman, Dan	Wettlaufer, Wayne
Grimmett, Bill	O'Toole, John	Young, Terence H.
Hardeman, Ernie	Parker, John L.	
Harnick, Charles	Rollins, E.J. Douglas	

**The Speaker:** All those opposed will please rise one at a time.

#### Nays

Bisson, Gilles	Cooke, David S.	McLeod, Lyn
Boyd, Marion	Gerretsen, John	Phillips, Gerry
Bradley, James J.	Grandmaitre, Bernard	Pouliot, Gilles
Brown, Michael A.	Kormos, Peter	Silipo, Tony
Caplan, Elinor	Lankin, Frances	Wood, Len
Christopherson, David	Marchese, Rosario	
Colle, Mike	Martel, Shelley	

**Clerk of the House (Mr Claude L. DesRosiers):** The ayes are 40, the nays 19.

**The Speaker:** I declare the motion carried.

The bill has been referred to the resources development committee.

**Hon Michael D. Harris (Premier):** I wonder, Mr Speaker—it's not under orders of the day—if I might say about 45 seconds' worth, as I can't stay until the very end today.

**Mr David S. Cooke (Windsor-Riverside):** He always filibusters on the last day.

**Hon Mr Harris:** Now I've got the floor—I have filibustered on last days before, as has been pointed out by the House leader for the New Democratic Party—I thank the opposition parties for their assistance and support during our first six months of office. As we were a long time from government and were rookies when we took over, they have, as is their duty and challenge, pointed out errors in our ways, flaws and corrections and better ways to do things.

Might I say on behalf of all members to members' families how much we appreciate the sacrifice and the time and effort that go into the job throughout the year and wish everybody season's greetings and some time, I hope—carrying out responsibilities I know as well—but some time for yourselves and for your families. Thank you very much.

**The Speaker:** The leader of the loyal opposition for 45 seconds.

**Mrs Lyn McLeod (Leader of the Opposition):** I also would like to rise in recognition that we are on the last day before we break, as an assembly, for the holiday season. Although I have some concerns, I won't respond to the Premier's casting aspersions on our capabilities as an opposition by suggesting we've been helpful to his government during their first few months in office.

I'll let that pass, and in the spirit of the approaching season join him in hoping that everyone in the assembly is able to find some time for a peaceful, happy period with their family, and say as well to you, Mr Speaker, and to the staff, our thanks for your patience with us in what has sometimes been a long and not always easy session. I hope everybody has a happy holiday season.

**The Speaker:** The House leader of the third party.

**Mr Cooke:** Mr Speaker, do I have 90 minutes? No.

If I might, on behalf of the New Democratic Party caucus, first of all say to the Premier that we appreciate his expression and recognition of the cooperation that the opposition parties have shown to the government in the first six months. I can assure him we will try to do better in 1996.

**Mr Baird:** You got the drift.

**Mr Cooke:** Yeah, right. You got the drift.

I also want to, on behalf of our caucus, wish everyone Merry Christmas and a Happy New Year and happy holidays. It's been a tough session, and I hope everybody here understands that when we're at the tough political debates there's nothing personal about it. We all recognize the contribution that everybody in this place

makes and the sacrifices the Premier said that everybody makes when they're involved as we are in public life.

I also want to say to the staff that we all very much appreciate how you keep this place working. There are only a few times that it doesn't work, and when it doesn't work it's not your fault; it's the government's fault. I know I speak on behalf of all members of the Legislature when we thank you, but wish you the very best for the holidays and for the new year. So Merry Christmas, Happy New Year.

**Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader):** Mr Speaker, could I have unanimous consent to revert to motions for a brief period of time?

**The Speaker:** Do we have unanimous consent? Agreed.

#### MOTIONS

##### STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

**Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader):** I move that during the winter adjournment the standing committee on the Legislative Assembly be authorized to adjourn to Quebec City to review security provisions at the National Assembly.

**The Speaker (Hon Allan K. McLean):** Is it the pleasure of the House that the motion carry? Carried.

**Mr Bob Rae (York South):** Mr Speaker, I apologize for being late and I'll have a note for you.

I want to add my best Christmas wishes to the Premier and to the Deputy Premier and to my colleague the Leader of the Opposition, with whom I've served on many occasions. I just want to wish the very best to all the members of the House and of course to my own loyal team as well for this term and for Christmas and the new year, and say how much I know we're all looking forward to seeing you all back again for yet another joyous occasion. Merry Christmas, Happy New Year and good holidays to everyone.

**The Speaker:** Now can we get to orders of the day?

**Hon Mr Eves:** Yes, we may, Mr Speaker. May I call the order for private bills? Okay.

1750

#### ORDERS OF THE DAY

(continued)

##### CITY OF BRAMPTON ACT, 1995

Mr Clement moved second reading of the following bill:

Bill Pr9, An Act respecting the City of Brampton.

**The Speaker (Hon Allan K. McLean):** Is it the pleasure of the House that motion carry? Carried.

Mr Clement moved third reading of the following bill:

Bill Pr9, An Act respecting the City of Brampton.

**The Speaker:** Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.



WATERLOO COUNTY  
BOARD OF EDUCATION ACT, 1995

Mr Leadston moved second reading of the following bill:

Bill Pr10, An Act respecting the Waterloo County Board of Education.

**The Speaker (Hon Allan K. McLean):** Is it the pleasure of the House that motion carry? Carried.

Mr Leadston moved third reading of the following bill:

Bill Pr11, An Act respecting the Waterloo County Board of Education.

**The Speaker:** Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

CANADIAN NIAGARA  
POWER COMPANY, LIMITED ACT, 1995

Mr Hudak moved second reading of the following bill:

Bill Pr12, An Act respecting Canadian Niagara Power Company, Limited.

**The Speaker (Hon Allan K. McLean):** Is it the pleasure of the House that motion carry? Carried.

Mr Hudak moved third reading of the following bill:

Bill Pr12, An Act respecting Canadian Niagara Power Company, Limited.

**The Speaker:** Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

CITY OF NEPEAN ACT, 1995

Mr Baird moved second reading of the following bill:

Bill Pr13, An Act respecting the City of Nepean.

**The Speaker (Hon Allan K. McLean):** Is it the pleasure of the House that motion carry? Carried.

Mr Baird moved third reading of the following bill:

Bill Pr13, An Act respecting the City of Nepean.

**The Speaker:** Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

CITY OF NEPEAN ACT, 1995

Mr Baird moved second reading of the following bill:

Bill Pr14, An Act respecting the City of Nepean.

**The Speaker (Hon Allan K. McLean):** Is it the pleasure of the House that motion carry? Carried.

Mr Baird moved third reading of the following bill:

Bill Pr14, An Act respecting the City of Nepean.

**The Speaker:** Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

CITY OF MISSISSAUGA ACT, 1995

Mr Sampson moved second reading of the following bill:

Bill Pr37, An Act respecting the City of Mississauga.

**The Speaker (Hon Allan K. McLean):** Is it the pleasure of the House that motion carry? Carried.

Mr Sampson moved third reading of the following bill:  
Bill Pr37, An Act respecting the City of Mississauga.

**The Speaker:** Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

WATERLOO-GUELPH REGIONAL AIRPORT ACT, 1995

Mr Leadston moved second reading of the following bill:

Bill Pr38, An Act respecting the Waterloo-Guelph Regional Airport.

**The Speaker (Hon Allan K. McLean):** Is it the pleasure of the House that motion carry? Carried.

Mr Leadston moved third reading of the following bill:

Bill Pr38, An Act respecting the Waterloo-Guelph Regional Airport.

**The Speaker:** Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

CITY OF YORK ACT, 1995

Mr Colle moved second reading of the following bill:

Bill Pr44, An Act respecting the City of York.

**The Speaker (Hon Allan K. McLean):** Is it the pleasure of the House that the motion carry? Carried.

Mr Colle moved third reading of the following bill:

Bill Pr44, An Act respecting the City of York.

**The Speaker:** Is it the pleasure of the House that the motion carry? Carried.

Resolved that the bill do now pass and be entitled as in the motion.

**Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader):** Mr Speaker, it is my understanding His Honour awaits to give royal assent to some bills.

*His Honour the Lieutenant Governor entered the chamber of the Legislative Assembly and took his seat upon the throne.*

ROYAL ASSENT

SANCTION ROYALE

**Hon Henry N.R. Jackman (Lieutenant Governor):** Pray be seated.

**The Speaker (Hon Allan K. McLean):** May it please Your Honour, the Legislative Assembly of the province has, at its present meeting thereof, passed certain bills to which, in the name of and on behalf of the said Legislative Assembly, I respectfully request Your Honour's assent.

**Clerk Assistant and Clerk of Committees (Ms Deborah Deller):** The following are the titles of the bills to which Your Honour's assent is prayed:

Bill 5, An Act respecting Shortline Railways / Projet de loi 5, Loi concernant les chemins de fer d'intérêt local

Bill 6, An Act to amend the Corporations Information Act / Projet de loi 6, Loi modifiant la Loi sur les renseignements exigés des personnes morales

Bill 8, An Act to repeal job quotas and to restore merit-based employment practices in Ontario / Projet de loi 8, Loi abrogeant le contingentement en matière d'emploi et rétablissant en Ontario les pratiques d'emploi fondées sur le mérite

Bill 15, An Act to amend the Workers' Compensation Act and the Occupational Health and Safety Act / Projet de loi 15, Loi modifiant la Loi sur les accidents du travail et la Loi sur la santé et la sécurité au travail

Bill 23, An Act respecting Victims of Crime / Projet de loi 23, Loi concernant les victimes d'actes criminels

Bill Pr9, An Act respecting the City of Brampton

Bill Pr11, An Act respecting the Waterloo County Board of Education

Bill Pr12, An Act respecting Canadian Niagara Power Company, Limited

Bill Pr13, An Act respecting the City of Nepean

Bill Pr14, An Act respecting the City of Nepean

Bill Pr37, An Act respecting the City of Mississauga

Bill Pr38, An Act respecting the Waterloo-Guelph Regional Airport

Bill Pr44, An Act respecting the City of York.

**Clerk of the House (Mr Claude L. DesRosiers):** In Her Majesty's name, His Honour the Lieutenant Governor doth assent to these bills.

Au nom de Sa Majesté, Son Honneur le lieutenant-gouverneur sanctionne ces projets de loi.

*His Honour was then pleased to retire.*

**The Speaker:** The House will be aware that on December 7, 1995, the member for Scarborough North had been excluded from the service of this House and its committees according to standing order 15(d) because force had to be used to make him withdraw from the chamber after I had named him for disregarding the authority of the Chair.

Since that time I have received a written apology from the member as well as a request signed by all three House leaders indicating that all three parties would have no objections if I agreed to lift the suspension affecting the member for Scarborough North.

Seeing this, I agree to the suspension at the conclusion of today's sitting.

**Hon Ernie L. Eves (Deputy Premier, Minister of Finance and Government House Leader):** Mr Speaker, I'd like to move adjournment of the House.

**The Speaker:** This House stands adjourned until 10 of the clock—well, does everybody agree? I took that for granted.

This House stands adjourned until 10 of the clock, January 29, 1996.

*The House adjourned at 1803.*



**LEGISLATIVE ASSEMBLY OF ONTARIO  
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

**Lieutenant Governor / Lieutenant-gouverneur: Lt Col The Hon / L'hon Henry N.R. Jackman CM, KStJ, BA, LLB, LLD**

**Speaker / Président: Hon / L'hon Allan K. McLean**

**Clerk / Greffier: Claude L. DesRosiers**

**Senior Clerk Assistant and Clerk of Journals / Greffier adjoint principal et Greffier des journaux: Alex D. McFedries**

**Clerk Assistant and Clerk of Committees / Greffière adjointe et Greffière des comités: Deborah Deller**

**Sergeant at Arms / Sergent d'armes: Thomas Stelling**

Member / Député(e)	Constituency / Circonscription	Party / Parti	Other responsibilities / Autres responsabilités
Agostino, Dominic	Hamilton East / -Est	L	
Arnott, Ted	Wellington	PC	
Baird, John R.	Nepean	PC	parliamentary assistant to the Minister of Labour / adjoint parlementaire de la ministre du Travail
Barrett, Toby	Norfolk	PC	
Bartolucci, Rick	Sudbury	L	
Bassett, Isabel	St Andrew-St Patrick	PC	parliamentary assistant to the Minister of Finance, deputy government House leader / adjointe parlementaire du ministre des Finances, chef parlementaire adjointe du gouvernement
Beaubien, Marcel	Lambton	PC	parliamentary assistant (rural affairs) to the Minister of Agriculture, Food and Rural Affairs / adjoint parlementaire (secteur Affaires rurales) du ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
Bisson, Gilles	Cochrane South / -Sud	ND	
Boushy, Dave	Sarnia	PC	
Boyd, Marion	London Centre / -Centre	ND	
Bradley, James J.	St Catharines	L	deputy opposition leader, opposition House leader / chef adjoint de l'opposition, chef parlementaire de l'opposition
Brown, Jim	Scarborough West / -Ouest	PC	
Brown, Michael A.	Algoma-Manitoulin	L	deputy opposition whip / whip adjoint de l'opposition
Caplan, Elinor	Oriole	L	chief opposition whip / whip en chef de l'opposition
Carr, Gary	Oakville South / -Sud	PC	parliamentary assistant to the Solicitor General and Minister of Correctional Services / adjoint parlementaire du solliciteur général et du ministre des Services correctionnels
Carroll, Jack	Chatham-Kent	PC	
Castrilli, Annamarie	Downsview	L	
Chiarelli, Robert	Ottawa West / -Ouest	L	
Christopherson, David	Hamilton Centre / -Centre	ND	deputy New Democratic Party whip / whip adjoint du Nouveau Parti démocratique
Chudleigh, Ted	Halton North / -Nord	PC	
Churley, Marilyn	Riverdale	ND	Second Deputy Chair of the Committee of the Whole House / Deuxième Vice-Présidente du Comité plénier de l'Assemblée législative
Cleary, John C.	Cornwall	L	
Clement, Tony	Brampton South / -Sud	PC	parliamentary assistant to the Minister of Citizenship, Culture and Recreation / adjoint parlementaire de la ministre des Affaires civiques, de la Culture et des Loisirs
Colle, Mike	Oakwood	L	
Conway, Sean G.	Renfrew North / -Nord	L	
Cooke, David S.	Windsor-Riverside	ND	New Democratic Party House leader / chef parlementaire du Nouveau Parti démocratique
Cordiano, Joseph	Lawrence	L	
Crozier, Bruce	Essex South / -Sud	L	deputy opposition whip / whip adjoint de l'opposition
<b>Cunningham, Hon / L'hon Dianne</b>	London North / -Nord	PC	Minister of Intergovernmental Affairs, minister responsible for women's issues / ministre des Affaires intergouvernementales, ministre déléguée à la Condition féminine
Curling, Alvin	Scarborough North / -Nord	L	

Member / Député(e)	Constituency / Circonscription	Party / Parti	Other responsibilities / Autres responsabilités
Danford, Harry	Hastings-Peterborough	PC	parliamentary assistant (agriculture and food) to the Minister of Agriculture, Food and Rural Affairs / adjoint parlementaire (secteurs Agriculture et Alimentation) du ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
DeFaria, Carl	Mississauga East / -Est	PC	
Doyle, Ed	Wentworth East / -Est	PC	assistant deputy government whip / whip adjoint suppléant du gouvernement
Duncan, Dwight	Windsor-Walkerville	L	
Ecker, Janet	Durham West / -Ouest	PC	parliamentary assistant to the Minister of Community and Social Services / adjointe parlementaire du ministre des Services sociaux et communautaires
<b>Elliott, Hon / L'hon Brenda</b>	Guelph	PC	Minister of Environment and Energy / ministre de l'Environnement et de l'Énergie
<b>Eves, Hon / L'hon Ernie L.</b>	Parry Sound	PC	Deputy Premier, Minister of Finance, government House leader / vice-premier ministre, ministre des Finances, leader parlementaire du gouvernement
Fisher, Barbara	Bruce	PC	
Flaherty, Jim	Durham Centre / -Centre	PC	parliamentary assistant to the Minister of Consumer and Commercial Relations / adjoint parlementaire du ministre de la Consommation et du Commerce
Ford, Douglas B.	Etobicoke-Humber	PC	
Fox, Gary	Prince Edward-Lennox-South Hastings / Prince Edward-Lennox-Hastings-Sud	PC	
Froese, Tom	St Catharines-Brock	PC	
Galt, Doug	Northumberland	PC	parliamentary assistant (environment) to the Minister of Environment and Energy / adjoint parlementaire (secteur Environnement) de la ministre de l'Environnement et de l'Énergie
Gerretsen, John	Kingston and The Islands / Kingston et Les Îles	L	
Gilchrist, Steve	Scarborough East / -Est	PC	
Grandmaître, Bernard	Ottawa East / -Est	L	
Gravelle, Michael	Port Arthur	L	
Grimmett, Bill	Muskoka-Georgian Bay / Muskoka-Baie-Georgienne	PC	parliamentary assistant (tourism) to the Minister of Economic Development, Trade and Tourism / adjoint parlementaire (secteur Tourisme) du ministre du Développement économique, du Commerce et du Tourisme
Guzzo, Garry J.	Ottawa-Rideau	PC	parliamentary assistant (energy) to the Minister of Environment and Energy / adjoint parlementaire (secteur Énergie) de la ministre de l'Environnement et de l'Énergie
Hampton, Howard	Rainy River	ND	
Hardeman, Ernie	Oxford	PC	parliamentary assistant (municipal affairs – rural) to the Minister of Municipal Affairs and Housing / adjoint parlementaire (Affaires municipales – secteur rural) du ministre des Affaires municipales et du Logement
<b>Harnick, Hon / L'hon Charles</b>	Willowdale	PC	Attorney General, minister responsible for native affairs / procureur général, ministre délégué aux Affaires autochtones
<b>Harris, Hon / L'hon Michael D.</b>	Nipissing	PC	Premier and President of the Executive Council / premier ministre et président du Conseil exécutif
Hastings, John	Etobicoke-Rexdale	PC	
<b>Hodgson, Hon / L'hon Chris</b>	Victoria-Haliburton	PC	Minister of Natural Resources, Minister of Northern Development and Mines / ministre des Richesses naturelles, ministre du Développement du Nord et des Mines
Hoy, Pat	Essex-Kent	L	
Hudak, Tim	Niagara South / -Sud	PC	
<b>Jackson, Hon / L'hon Cameron</b>	Burlington South / -Sud	PC	Minister without Portfolio (Workers' Compensation Board) / ministre sans portefeuille (Commission des accidents du travail)
Johns, Helen	Huron	PC	parliamentary assistant to the Minister of Health / adjointe parlementaire du ministre de la Santé



Member / Député(e)	Constituency / Circonscription	Party / Parti	Other responsibilities / Autres responsabilités
Johnson, Bert	Perth	PC	Deputy Speaker and Chair of the Committee of the Whole House / Vice-Président de la Chambre et Président du Comité plénier de l'Assemblée législative
<b>Johnson, Hon / L'hon David</b>	Don Mills	PC	Chair of the Management Board of Cabinet / président du Conseil de gestion
Johnson, Ron	Brantford	PC	
Jordan, Leo	Lanark-Renfrew	PC	deputy government whip / whip adjoint du gouvernement
Kells, Morley	Etobicoke-Lakeshore	PC	
Klees, Frank	York-Mackenzie	PC	parliamentary assistant to the Minister of Natural Resources / adjoint parlementaire du ministre des Richesses naturelles
Kormos, Peter	Welland-Thorold	ND	
Kwinter, Monte	Wilson Heights	L	
Lalonde, Jean-Marc	Prescott and Russell / Prescott et Russell	L	
Lankin, Frances	Beaches-Woodbine	ND	chief New Democratic Party whip / whip en chef du Nouveau Parti démocratique
Laughren, Floyd	Nickel Belt	ND	deputy New Democratic Party leader / chef adjoint du Nouveau Parti démocratique
<b>Leach, Hon / L'hon Al</b>	St George-St David	PC	Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement
Leadston, Gary L.	Kitchener-Wilmot	PC	
Marchese, Rosario	Fort York	ND	
Marland, Margaret	Mississauga South / -Sud	PC	
Martel, Shelley	Sudbury East / -Est	ND	
Martin, Tony	Sault Ste Marie	ND	
Martiniuk, Gerry	Cambridge	PC	
Maves, Bart	Niagara Falls	PC	
McGuinty, Dalton	Ottawa South / -Sud	L	
<b>McLean, Hon / L'hon Allan K.</b>	Simcoe East / -Est	PC	Speaker / Président
McLeod, Lyn	Fort William	L	Leader of the Opposition / chef de l'opposition
Miclash, Frank	Kenora	L	deputy opposition House leader / chef parlementaire adjoint de l'opposition
Morin, Gilles E.	Carleton East / -Est	L	First Deputy Chair of the Committee of the Whole House / Premier Vice-Président du Comité plénier de l'Assemblée législative
Munro, Julia	Durham-York	PC	parliamentary assistant to the Premier / adjointe parlementaire du premier ministre
Murdoch, Bill	Grey-Owen Sound	PC	parliamentary assistant to the Minister of Northern Development and Mines / adjoint parlementaire du ministre du Développement du Nord et des Mines
<b>Mushinski, Hon / L'hon Marilyn</b>	Scarborough-Ellesmere	PC	Minister of Citizenship, Culture and Recreation / ministre des Affaires civiques, de la Culture et des Loisirs
Newman, Dan	Scarborough Centre / -Centre	PC	parliamentary assistant to the minister responsible for native affairs / adjoint parlementaire du ministre délégué aux Affaires autochtones
North, Peter	Elgin	Ind	
O'Toole, John R.	Durham East / -Est	PC	
Ouellette, Jerry J.	Oshawa	PC	parliamentary assistant to the Minister of Transportation / adjoint parlementaire du ministre des Transports
<b>Palladini, Hon / L'hon Al</b>	York Centre / -Centre	PC	Minister of Transportation / ministre des Transports
Parker, John L.	York East / -Est	PC	
Patten, Richard	Ottawa Centre / -Centre	L	
Pettit, Trevor	Hamilton Mountain	PC	
Phillips, Gerry	Scarborough-Agincourt	L	
Pouliot, Gilles	Lake Nipigon / Lac-Nipigon	ND	
Preston, Peter L.	Brant-Haldimand	PC	
Pupatello, Sandra	Windsor-Sandwich	L	

Member / Député(e)	Constituency / Circonscription	Party / Parti	Other responsibilities / Autres responsabilités
Rae, Bob	York South / -Sud	ND	New Democratic Party leader / chef du Nouveau Parti démocratique
Ramsay, David	Timiskaming	L	
Rollins, E.J. Douglas	Quinte	PC	
Ross, Lillian	Hamilton West / -Ouest	PC	assistant deputy government whip / whip adjoint suppléant du gouvernement
<b>Runciman, Hon / L'hon Robert W.</b>	Leeds-Grenville	PC	Solicitor General and Minister of Correctional Services / solliciteur général et ministre des Services correctionnels
Ruprecht, Tony	Parkdale	L	
Sampson, Rob	Mississauga West / -Ouest	PC	parliamentary assistant to the Minister of Finance / adjoint parlementaire du ministre des Finances
<b>Saunderson, Hon / L'hon William</b>	Eglinton	PC	Minister of Economic Development, Trade and Tourism / ministre du Développement économique, du Commerce et du Tourisme
Sergio, Mario	Yorkview	L	
Shea, Derwyn	High Park-Swansea	PC	parliamentary assistant (municipal affairs – urban) to the Minister of Municipal Affairs and Housing / adjoint parlementaire (Affaires municipales – secteur urbain) du ministre des Affaires municipales et du Logement
Sheehan, Frank	Lincoln	PC	
Silipo, Tony	Dovercourt	ND	deputy New Democratic Party House leader / chef parlementaire adjoint du Nouveau Parti démocratique
Skarica, Toni	Wentworth North / -Nord	PC	parliamentary assistant to the Minister of Education and Training / adjoint parlementaire du ministre de l'Éducation et de la Formation
Smith, Bruce	Middlesex	PC	
<b>Snobelen, Hon / L'hon John</b>	Mississauga North / -Nord	PC	Minister of Education and Training / ministre de l'Éducation et de la Formation
Spina, Joseph	Brampton North / -Nord	PC	parliamentary assistant (small business) to the Minister of Economic Development, Trade and Tourism / adjoint parlementaire (secteur petites entreprises) du ministre du Développement économique, du Commerce et du Tourisme
<b>Sterling, Hon / L'hon Norman W.</b>	Carleton	PC	Minister of Consumer and Commercial Relations / ministre de la Consommation et du Commerce
Stewart, R. Gary	Peterborough	PC	
Stockwell, Chris	Etobicoke West / -Ouest	PC	
Tascona, Joseph N.	Simcoe Centre / -Centre	PC	
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<b>Wilson, Hon / L'hon Jim</b>	Simcoe West / -Ouest	PC	Minister of Health / ministre de la Santé
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Wood, Len	Cochrane North / -Nord	ND	
Young, Terence H.	Halton Centre / -Centre	PC	parliamentary assistant (colleges and universities) to the Minister of Education and Training / adjoint parlementaire (secteur collèges et universités) du ministre de l'Éducation et de la Formation



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